

By Mr. ROBBINS: Petition of Post 237, Grand Army of the Republic, of Cookport, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SHATTUC: Resolution of Local Union No. 1 of the International Union of Bicycle Workers and Allied Mechanics, of Toledo, Ohio, favoring the passage of House bill No. 7389, relating to limiting the hours of daily service in Government works—to the Committee on Labor.

By Mr. SAMUEL W. SMITH: Petitions of W. N. Diamond, M. D., and 198 citizens of Haslett, and A. W. Haydon and 203 citizens of Decatur, Mich., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. SULLOWAY: Petition of the Woman's Christian Temperance Union of Somersworth, N. H., favoring the Ellis bill to prohibit the sale of liquor in canteens and immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Somersworth, N. H., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Somersworth, N. H., to forbid interstate gambling by telegraph or telephone—to the Committee on Interstate and Foreign Commerce.

By Mr. TODD: Petition of the Comstock Manufacturing Company, of Comstock, Mich., recommending liberal appropriations for American exhibits at the Paris Exposition—to the Committee on Appropriations.

By Mr. WANGER: Petition of the Woman's Christian Temperance Union of Richboro and Langhorne, Bucks County, Pa., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of W. S. Schlichter and 39 fourth-class postmasters in Bucks County, Pa., urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. WEYMOUTH: Petition of E. B. Parker, of Little Compton, Mass., and 24 other fourth-class postmasters residing in the Fourth Congressional district of Massachusetts, in favor of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

SENATE.

MONDAY, February 6, 1899.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Vice-President resumed the chair.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on motion of Mr. GRAY, and by unanimous consent, the further reading was dispensed with.

REPORT OF THE COMMISSIONER OF PATENTS.

The VICE-PRESIDENT laid before the Senate the Annual Report of the Commissioner of Patents for the year ended December 31, 1898; which was referred to the Committee on Patents, and ordered to be printed.

CREDENTIALS.

Mr. JONES of Nevada presented the credentials of WILLIAM M. STEWART, chosen by the legislature of Nevada a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

CLARINDA S. HILLMAN.

Mr. GALLINGER. I move that the House of Representatives be requested to return to the Senate the bill (S. 569) granting an increase of pension to Clarinda S. Hillman.

The motion was agreed to.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the legislature of the Territory of New Mexico, praying for the enactment of legislation to authorize the issuance of \$60,000 of Territorial bonds to complete and furnish the capitol at Santa Fe, N. Mex.; which was referred to the Committee on Territories.

He also presented a petition of sundry Methodist ministers of Philadelphia, Pa., praying for the immediate ratification of the treaty of peace; which was ordered to lie on the table.

Mr. MITCHELL presented a memorial of sundry citizens of Dodgeville, Wis., remonstrating against the annexation of the Philippine Islands, and praying for the establishment of a United States protectorate over those islands; which was referred to the Committee on Foreign Relations.

Mr. COCKRELL presented a petition of the congregation of the Lucas Avenue Cumberland Presbyterian Church, of St. Louis,

Mo., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the congregation of the Lucas Avenue Cumberland Presbyterian Church, of St. Louis, Mo., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Lucas Avenue Cumberland Presbyterian Church, of St. Louis, Mo., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. MONEY presented a petition of the congregations of sundry churches of Rocky Springs and Humphreys, Miss., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. FRYE presented the petition of Mary S. Anthony and sundry other citizens of Rochester, N. Y., praying that women be granted the right of suffrage in Hawaii; which was referred to the Select Committee on Woman Suffrage.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union and the congregations of the Methodist Episcopal Church, the Free Baptist Church, and the Advent Church, all of Whitefield, in the State of New Hampshire, praying for the maintenance of prohibition in Alaska and the Indian Territory and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Union of Haverhill, N. H., and a petition of the Woman's Christian Temperance Union and the congregations of the Methodist Episcopal, the Free Baptist, and the Advent churches, all of Whitefield, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Haverhill, N. H., and a petition of the Woman's Christian Temperance Union and the congregations of the Methodist Episcopal, the Free Baptist, and the Advent churches, all of Whitefield, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which were referred to the Committee on the Judiciary.

Mr. PETTIGREW presented the petition of D. M. Dickerson and 204 other citizens of Richland, S. Dak., and the petition of Samuel Dickey and 205 other citizens of Sioux Falls, S. Dak., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. LODGE presented a petition of the Farmers and Mechanics' Association of Needham, Mass., praying for the speedy ratification of the treaty of peace; which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Boston, Mass., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of Corner Stone Lodge, No. 13, Independent Order of Good Templars; of the Epworth League of the Methodist Episcopal Church; of the Neal Dow Prohibition Club, and of the Young People's Christian Union of the Universalist Church, all of Hingham, in the State of Massachusetts, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of Corner Stone Lodge, No. 13, Independent Order of Good Templars; of the Epworth League of the Methodist Episcopal Church; of the Neal Dow Prohibition Club, and of the Young People's Christian Union of the Universalist Church, all of Hingham, in the State of Massachusetts, praying for the maintenance of prohibition in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

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Mr. HANNA presented a petition of the State board of health of Ohio, praying for the establishment of a national bureau of

health, and for the enactment of legislation providing for the appointment of a commission of bacteriological experts to ascertain the cause of yellow fever; which was referred to the Committee on Public Health and National Quarantine.

He also presented the petition of J. A. Lee, of Belleville, Ohio, praying that the rank of second lieutenant be given to veterinarian surgeons of the Army; which was referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the First Methodist Episcopal Church of Ashtabula, Ohio, praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented the petition of H. B. Kingley, adjutant-general of the State of Ohio, praying that an increase in the appropriation be made for the support of the National Guard; which was referred to the Committee on Military Affairs.

He also presented a petition of the National Nonpartisan Woman's Christian Temperance Union, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented petitions of Olive Branch Grange, No. 116, Patrons of Husbandry, of Edinburg, Ohio; of Townsend Grange, No. 1392, Patrons of Husbandry, of Townsend, Ohio, and of the executive board of the American Shipping and Industrial League, of New York, praying for the enactment of legislation to increase American shipping; which were ordered to lie on the table.

He also presented the petitions of H. A. Stevens, of Toledo; of W. J. Hayes & Sons, of Cleveland; of the Globe Oil Company, of Cleveland; of the National Malleable Castings Company, of Cleveland; of the Cleveland Machine Screw Company, of Cleveland, and of Aultman, Miller & Co., of Akron, all in the State of Ohio, praying for the passage of the so-called Loud bill relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Central Trades and Labor Council of Zanesville; the Carpenters and Joiners' Union of Columbus; of Cuyahoga Lodge, No. 83, International Association of Machinists, of Cleveland; of Local Union No. 69, Cigar Makers' International Union, of Sandusky; of Buckeye Lodge, No. 53, International Association of Machinists, of Columbus; of Local Union No. 26, American Flint Glass Workers' Union, of Bellaire; of Local Union No. 20, Core Makers' International Union, of Hamilton; of the Central Trades Council of Dayton; of the Hollingsworth Division, No. 100, Order of Railway Conductors, of Columbus; and of Sol Southeimer, of Cleveland, all in the State of Ohio, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. SIMON presented a petition of the legislature of Oregon, praying that an appropriation be made to continue the improvements to Yaquina Bay Harbor, in that State; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 2.

Resolved by the senate (the house of representatives of the legislative assembly of Oregon concurring).

To the Congress of the United States:

We, your memorialists, respectfully represent that—

Whereas we learn with a sense of great disappointment and deep regret that no appropriation is provided in the appropriation bill as reported by the committee for the continuance of improvements to Yaquina Bay Harbor, or for the carrying out of the terms of the contract which has been duly let for such improvements as have been outlined and recommended by the Board of United States Engineers; and

Whereas we realize that it is of vital importance to the State of Oregon that such improvements be continued and that such contract be carried out; Therefore,

The legislature of the State of Oregon memorialize and pray the Congress of the United States to provide an appropriation for the continuance of such improvements to said Yaquina Bay Harbor and the carrying out of said contract;

And for this purpose your memorialists will ever pray; and be it

Further resolved, That the secretary of state be instructed to forward a copy of this memorial to our Senators and Representatives in Congress, with the request that they use every honorable means to secure the appropriation herein asked.

Adopted by the senate January 23, 1899.

T. C. TAYLOR,
President of the Senate.

Concurred in by the house January 23, 1899.

E. V. CARTER,
Speaker of the House.

Senate joint memorial No. 2.
Filed January 31, 1899.

S. L. MOORHEAD, Chief Clerk.
F. I. DUNBAR, Secretary of State.

UNITED STATES OF AMERICA, STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE,
Salem, Ore., January 31, 1899.

I, F. I. Dunbar, do hereby certify that I am the secretary of state of the State of Oregon and custodian of the seal of said State; that the foregoing transcript of senate joint memorial No. 2, urging Congress to provide an appropriation for the continuance of improvements to Yaquina Bay Harbor,

etc., has been by me compared with the original copy of the said senate joint memorial No. 2, now on file in this office, and that it is a true and correct transcript thereof, and the whole of said original as appears on file in my office and custody.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Ore., this 31st day of January, A. D. 1899.
F. I. DUNBAR, Secretary of State.

Mr. SIMON presented a petition of sundry citizens of Oakville, Ore., praying for the adoption of an amendment to the Constitution of the United States defining legal marriage and providing for the enactment of uniform laws throughout the country on the subjects of marriage and divorce, and also for the enactment of legislation prohibiting the sale of intoxicating liquors in Government buildings; which was referred to the Committee on the Judiciary.

Mr. FAIRBANKS. Mr. President, I submit for the information of the Senate a resolution adopted by the general assembly of the State of Indiana, instructing the Senators from that State to use their influence and to vote for the ratification of the peace treaty.

I do not stop to comment upon the question as how far, if at all, a State legislature may go in instructing its Senators with respect to their votes upon this floor. I will only say that the instructions of the legislature of my State are quite in harmony with my own purpose and my own desire.

I ask that the resolution be printed in the RECORD and laid on the table.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Senate concurrent resolution No. 2.

Whereas the United States has lately been engaged in war with Spain; and Whereas a treaty of peace has been signed by the representatives of the Government of Spain at Paris is now before the Senate of the United States for ratification: Therefore, be it

Resolved by the general assembly of the State of Indiana, That we instruct the Hon. DAVID TURPIE and the Hon. CHARLES W. FAIRBANKS to use their influence and to vote for the ratification of said treaty.

Resolved, That a copy of these resolutions be forwarded to the said Hon. DAVID TURPIE and the Hon. CHARLES W. FAIRBANKS.

We, the undersigned, secretary of the senate and principal clerk of the house of representatives of the Sixty-first General Assembly of the State of Indiana, now in session, do hereby certify that the foregoing is a true and complete copy of concurrent senate resolution No. 2, duly adopted by said general assembly on the 20th day of January, 1899.

Attest:

WILL C. CONVERSE,
Secretary of the Senate.

FRED KIMBLEY,
Principal Clerk of the House of Representatives.

Mr. BUTLER presented the petition of C. H. Ridenhour and 202 other citizens of Copalgrove, N. C., praying for the establishment of postal savings bank depositories; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SPOONER presented the petition of William Piper and 187 other citizens of Palmyra, Wis., and the petition of R. Bright and 199 other citizens of Pinehill, Wis., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Local Union No. 61, Cigar Makers' International Union, of La Crosse, Wis., remonstrating against the ratification of the treaty of peace; which was ordered to lie on the table.

He also presented a petition of the Retail Clerks' Association of Sheboygan, Wis., and a petition of the Central Labor Union of Sheboygan, Wis., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented the memorial of W. J. Hayden and 16 other members of the Cigar Makers' Union of Marinette, Wis., and a memorial of Local Union No. 182, Cigar Makers' International Union, of Madison, Wis., remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, or other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

He also presented petitions of Henry Faville and sundry other citizens; of the congregations of the Congregational Church of Mazomanie, the Moravian and Methodist Episcopal churches of London, and of the Congregational, the Methodist Episcopal, the Baptist, and the Advent Christian churches of Sparta, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. HOAR presented the memorials of Simon Werner and 9 other citizens, of Sarah L. Merrill and 27 other citizens, John T. F. MacDonnell and 29 other citizens, C. A. Cashdollar and 9 other citizens, W. G. Parsons and 3 other citizens, P. J. Daly and 9 other citizens, Herbert B. Lyman and 2 other citizens, Edwin Baker and 6 other citizens, James Halligan and 9 other citizens, and of F. E. Allen and 9 other citizens, all in the State of Massachusetts; of D. W. Denney and 9 other citizens, F. J. Le Moyno

and 9 other citizens, F. Fink and 9 other citizens, A. C. Lange and 9 other citizens, James Pollock and 9 other citizens, and of R. F. Musser and 9 other citizens, all in the State of Illinois; of James Houston and 1 other citizen, M. L. D'Ooge and 9 other citizens, W. H. Bradshaw and 9 other citizens, John J. Peacock and 9 other citizens, Jason E. Peacock and 9 other citizens, Milo W. Fish and 9 other citizens, C. E. Reeves and 9 other citizens, and of James H. Hopkins and 9 other citizens, all in the State of Michigan; of W. H. Briggs and 9 other citizens, Henry J. Ewing and 9 other citizens, George Simpson and 9 other citizens, W. O. Strong and 9 other citizens, Ernest H. Crosby and 8 other citizens, and of John J. Clark and 9 other citizens, all in the State of New York; of Willie Wilson and 9 other citizens, S. H. Harrison and 9 other citizens, Joseph P. Stewart and 9 other citizens, W. P. Davis and 9 other citizens, S. T. Pitchford and 9 other citizens, J. M. Johnson and 9 other citizens, Thomas G. Taylor and 9 other citizens, and of O. R. Owens and 9 other citizens, all in the State of North Carolina; of A. McLaugh and 9 other citizens, Henry B. Hayden and 9 other citizens, and of J. C. Carroll and 9 other citizens, all in the State of Colorado; of C. H. Bishop, sr., and 9 other citizens, Milton Wilkin and 55 other citizens, and of Joseph A. Bauer and 9 other citizens, all in the State of Ohio; of Peter Schaus and 27 other citizens, R. G. W. Collins and 9 other citizens, W. A. Cutler and 20 other citizens, and of John Forman and 14 other citizens, all in the State of Wisconsin; of G. D. Hickerwell and 9 other citizens, of John S. McCoy and 9 other citizens, and of W. C. Griffin and 9 other citizens, all in the State of Pennsylvania; of G. W. Barnes and 9 other citizens, of Joseph Sullivan and 9 other citizens, Lester L. Lowney and 7 other citizens, Albert S. Cook and 4 other citizens, and of Henry R. Way and 9 other citizens, all in the State of Connecticut; of J. J. Russell and 9 other citizens, Richard Eisele and 9 other citizens, and of P. P. Wynn and 9 other citizens, all in the State of Arkansas; of C. W. Potter and 9 other citizens, and of B. B. Mastick and 9 other citizens, all in the State of Nebraska; of B. F. Roseman and 17 other citizens, and of R. C. Braden and 9 other citizens, all in the State of Texas; of A. B. Treanor and 2 other citizens, and of F. E. Babcock and 8 other citizens, all in the State of California; of Theodore Melching and 15 other citizens, and of John Hearn and 19 other citizens, all in the State of Indiana; of D. McConnehey and 9 other citizens of Oklahoma Territory; of J. H. Steffee and 9 other citizens of Georgia; of J. C. Sumner and 9 other citizens of Kentucky; of O. B. Messinger and 9 other citizens of Oregon; of John A. Barnard and 13 other citizens of Missouri; of Howard Turner and 9 other citizens of Maine; of Josephus Daniels, of South Carolina, and of John C. Elder and 6 other citizens, all in the United States, remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, and over any other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

Mr. WARREN presented the petition of I. C. Whipple and 53 other citizens of Cheyenne, Wyo., praying for the enactment of legislation to equalize the pay of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Local Lodge No. 89, International Association of Machinists, of Cheyenne, Wyo.; of Black Hills Lodge, No. 86, Brotherhood of Locomotive Firemen, of Laramie, Wyo., and of the Hard and Soft Wheel Grinders and Strappers Union, No. 1, International Union of Bicycle Workers, of Toledo, Ohio, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. ALLEN. I present a resolution adopted by the house of representatives of Nebraska, favoring the ratification of the treaty of peace, which I ask may be read and lie on the table.

There being no objection, the resolution was read, and ordered to lie on the table, as follows:

HOUSE OF REPRESENTATIVES, TWENTY-SIXTH SESSION,
Lincoln, Nebr., February 5, 1899.

Mr. Speaker, I offer the following resolution:

Whereas the Government of the United States and the Government of Spain have, after long and careful negotiations, agreed upon a treaty of peace, and the terms of that treaty are, in all of its substantial features, in accord with the terms proposed by the United States; and

Whereas a failure to ratify the treaty by the Senate of the United States would place the Government of the United States in a ridiculous position before the world in failing to ratify what it had itself proposed; and

Whereas the ratification of the treaty in no manner commits this Government to the so-called policy of expansion or imperialism, but simply puts an end to the war and permits the nation to assume and perform the duties imposed upon it by the results of the Spanish-American war; Therefore,

Resolved, That the house of representatives hereby respectfully requests Senators ALLEN and THURSTON to vote for the ratification of said treaty of peace.

J. H. EVANS.

I hereby certify that the above is a true and correct copy of a resolution introduced and passed by the house of representatives on this the 3d day of February, A. D. 1899.

JOHN WALL,
Chief Clerk of the House of Representatives.
PAUL F. CLARK,
Speaker of the House of Representatives.

Mr. GEAR presented a petition of sundry citizens of Shelby

County, Iowa, and a petition of sundry citizens of Jefferson County, Iowa, praying that women be granted the right of suffrage in Hawaii; which were referred to the Select Committee on Woman Suffrage.

He also presented a petition of the Ladies' Library Association of Iowa, praying for the adoption of an amendment to the Agricultural appropriation bill proposing to appropriate \$10,000 to be expended for investigation and reports on the best methods and appliances for the preparation of food, with a view to advancing the interests of domestic science; which was referred to the Committee on Appropriations.

Mr. ROSS presented a petition of the Woman's Christian Temperance Union of Derby Line, Vt., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Congregational Society and Woman's Christian Temperance Union of Derby Line and of the Young People's Society of Christian Endeavor of the First Congregational Church of St. Albans, all in the State of Vermont, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. HANSBROUGH. I present a concurrent resolution of the legislature of North Dakota, praying for the ratification of the treaty of Paris, which I ask may be read and lie on the table.

There being no objection, the concurrent resolution was read, and ordered to lie on the table, as follows:

Concurrent resolution.

Be it resolved by the house of representatives of the State of North Dakota (the senate concurring therein), That the war between the United States and the Kingdom of Spain having terminated, and commissioners representing each of the Governments having concluded a treaty of peace renouncing the sovereignty of the Kingdom of Spain over the island of Cuba and ceding to the Government of the United States the islands of Porto Rico and the group of islands known as the Philippines, and it being necessary before said treaty can take effect that it be ratified by the United States Senate; and the legislative assembly of this State being in favor of the ratification of the treaty of peace aforesaid and of the Government of the United States assuming control and exercising sovereignty over the territory ceded by the treaty of peace: Therefore, to that end be it

Resolved, That the Hon. HENRY C. HANSBROUGH and WILLIAM N. ROACH, United States Senators from North Dakota, be, and they are hereby, respectfully petitioned and requested to vote in favor of the ratification of the treaty of peace now pending in the United States Senate.

Resolved, That an engrossed copy of this resolution be forwarded to each of the Senators above named.

THOMAS BAKER,
Speaker of the House.
J. M. DEVINE,
President of the Senate.

Attest:
J. G. HAMILTON, Chief Clerk.

Attest:
L. K. ESTABROOK, Acting Secretary of the Senate.

REPORTS OF COMMITTEES.

Mr. CULLOM, from the Committee on Appropriations, to whom was referred the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900, reported it with amendments, and submitted a report thereon.

Mr. THURSTON, from the Committee on the Judiciary, to whom was referred the bill (H. R. 11178) to amend section 941 of the Revised Statutes, reported it without amendment.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 11629) for the extension of Pennsylvania avenue SE. to the District line, reported it with amendments, and submitted a report thereon.

Mr. GORMAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 11597) to extend S street, in the District of Columbia, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. MASON, from the Committee on Post-Offices and Post-Roads, to whom was referred the amendment submitted by Mr. CARTER January 21, 1899, relative to the transportation of mail by pneumatic tube or other similar devices, intended to be proposed to the Post-Office appropriation bill, reported it with an amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. WOLCOTT, from the Committee on Post-Offices and Post-Roads, to whom was referred the amendment submitted by Mr. KYLE January 30, 1899, relative to an additional appropriation for clerk hire in third and fourth class post-offices, intended to be proposed to the Post-Office appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, reported an amendment relative to the compensation of clerks in charge of substations for the issue of postal money orders, and authorizing the Postmaster-General to prescribe the conditions, fees, and forms for the issue of money orders, intended to be proposed to the Post-Office appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom the subject was

referred, reported a bill (S. 5451) authorizing the Postmaster-General to maintain a "key-deposit fund," and for other purposes; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 3283) regulating the postage on letters written by the blind, reported it without amendment.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the bill (S. 5427) granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho, reported it without amendment.

BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 5452) to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes;" which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. PETTIGREW introduced a bill (S. 5453) for the relief of the certain Indians in the Indian Territory who desire to sell their lands and improvements and emigrate elsewhere; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SPOONER introduced a bill (S. 5454) for the relief of William P. Cockey; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5455) granting an increase of pension to Harvey Graham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HANNA introduced a bill (S. 5456) granting a pension to Catharine Harris; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 5457) for the erection of a public building in the city of Elgin, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PETTIGREW submitted an amendment proposing to appropriate \$25,000 for the improvement of the Missouri River at or near Chamberlain, S. Dak., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$60,000 for improvements already begun on the Missouri River at or near Pierre and Fort Pierre, S. Dak., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$25,000 for improvements already begun on the Missouri River at or near Elk Point, S. Dak., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. SPOONER submitted an amendment proposing to pay \$238.75 to Michael Conlan, being the difference between the compensation of a laborer and that of a messenger from December 2, 1898, to March 31, 1899, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. LODGE submitted an amendment proposing to appropriate \$10,000 for the purchase of the Le Clear portrait of Ulysses S. Grant, now in the Executive Mansion, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Library, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$20,000 for continuing the improvement of the harbor at Lynn, Mass., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

MONUMENT TO GEORGE HENRY ELLIS.

Mr. CHANDLER. I submit an amendment intended to be proposed by me to the naval appropriation bill, which I ask may be read in full and referred to the Committee on Naval Affairs.

The amendment was read, referred to the Committee on Naval Affairs, and ordered to be printed, as follows:

To enable the Secretary of the Navy to erect at some suitable place on public grounds, or in the cemetery, a monument to George Henry Ellis, yeoman, killed on the United States cruiser *Brooklyn* in the battle off Santiago, on July 3, 1898, he being the only person killed in battle in the naval engagements which resulted in the total destruction of the two principal Spanish fleets in Manila Bay and off Santiago de Cuba, \$5,000.

PERSONNEL OF NAVY AND MARINE CORPS.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States; which was referred to the Committee on Naval Affairs, and ordered to be printed.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. McENERY. I offer a resolution and ask that it be read, and that an hour be fixed before 3 o'clock when the vote shall be taken on it.

The VICE-PRESIDENT. The resolution will be read. The Secretary read as follows:

Resolved, That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. McENERY. I ask that a vote be taken on this resolution to-day prior to going into executive session.

The VICE-PRESIDENT. The Chair understands the request of the Senator from Louisiana to be for unanimous consent that there may be a vote taken to-day on his resolution prior to the vote to be taken on the treaty of Paris.

Mr. BACON. I could not gather from the reading of the resolution whether it is a joint or a Senate resolution.

The VICE-PRESIDENT. The Chair supposes it to be a simple Senate resolution or a concurrent resolution.

Mr. BACON. The Secretary did not read a resolving clause which would indicate it to be a concurrent resolution.

Mr. GALLINGER. Let it be read again in full.

The Secretary again read the resolution.

The VICE-PRESIDENT. The Chair is requested to state by the introducer of the resolution that he introduced it as a simple Senate resolution, but he wishes to change it into a joint resolution.

Mr. FRYE. And he asks unanimous consent that a vote may be taken on it to-day.

The VICE-PRESIDENT. The resolution now before the Senate, introduced by the Senator from Louisiana, is intended to be a joint resolution. It will be read by title.

The joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands was read twice by its title.

The VICE-PRESIDENT. The Senator from Louisiana asks that a vote be taken upon the joint resolution this afternoon. Is there objection.

Mr. ALLEN. I object.

The VICE-PRESIDENT. Objection is made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the concurrent resolution of the Senate requesting the President of the United States to return to the Senate the bill (S. 569) to increase the pension of Clarinda S. Hillman.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 11142) granting to the mayor of the city of Victor, in the county of El Paso and State of Colorado, the right to enter certain lands therein described for city purposes; and

A bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900.

The message also announced that the House had passed a concurrent resolution extending the thanks of Congress to the State of Missouri for providing and furnishing statues of Thomas Hart Benton and Francis Preston Blair, and accepting the same, to be placed in Statuary Hall, in the Capitol; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 4070) to amend an act granting to the St. Louis, Oklahoma and Southern Railway Company a right of way through the Indian Territory and Oklahoma Territory, and for other purposes; and it was thereupon signed by the Vice-President.

ARREARAGES OF TAXES.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4700) entitled "A bill to receive arrearages of taxes due the District of Columbia to July 1, 1896, at 6 per cent interest per annum, in lieu of penalties and costs," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the first amendment of the House, and agree to the same amended as follows: In lieu of "ninety-eight" read "ninety-seven;" and the Senate agree to the same.

That the Senate recede from its disagreement to the second amendment of the House, and agree to the same amended as follows: Instead of the date "January, 1900," read "July, 1899;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House relative to the title, and agree to the same amended so as to read: "A bill to receive arrearages of taxes due the District of Columbia to July 1,

1897, at 6 per cent per annum, in lieu of penalties and costs;" and the Senate agree to the same.

JAMES McMILLAN,
CHARLES J. FAULKNER.
Managers on the part of the Senate.
JOHN J. JENKINS,
CHARLES F. SPRAGUE,
JAMES D. RICHARDSON.
Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

The bill (H. R. 11142) granting to the mayor of the city of Victor, in the county of El Paso and State of Colorado, the right to enter certain lands, therein described, for city purposes was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900, was read twice by its title, and referred to the Committee on Appropriations.

RELATIONS WITH PORTO RICO AND THE PHILIPPINES.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution submitted by the Senator from Nebraska [Mr. ALLEN], which comes over from a previous day. It will be read.

The resolution submitted on the 4th instant by Mr. ALLEN was read, as follows:

Resolved, That the Senate of the United States, in ratifying and confirming the treaty of Paris, does not commit itself or the Government to the doctrine that the islands acquired by virtue of the war with Spain are to be annexed to or become a part of the United States, and that the difference in the language of said treaty as respects the island of Cuba and its inhabitants and the island of Porto Rico and Philippine Islands and their inhabitants shall not be construed or be held to be a difference in effect, but that it is the intention and purpose of the Senate in ratifying said treaty to place the inhabitants of the Philippine Islands and Porto Rico in exactly the same position as respects their relations to the United States as are the inhabitants of Cuba.

Mr. ALLEN. Let the resolution be passed over.

The VICE-PRESIDENT. The resolution will be passed over.

ACQUISITION OF TERRITORY.

Mr. ALLEN. I ask that the joint resolution introduced by the Senator from Missouri [Mr. VEST] be laid before the Senate and read.

The VICE-PRESIDENT. The Chair lays the joint resolution before the Senate.

The Secretary read as follows:

A joint resolution (S. R. 191) declaring that under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

The colonial system of European nations can not be established under our present Constitution, but all territory acquired by the Government, except such small amount as may be necessary for coaling stations, correction of boundaries, and similar governmental purposes, must be acquired and governed with the purpose of ultimately organizing such territory into States suitable for admission into the Union.

Mr. ALLEN. I also ask that the resolution just introduced by the Senator from Louisiana [Mr. McENERY] be laid before the Senate and read.

The VICE-PRESIDENT. The Chair lays the joint resolution before the Senate.

A joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States. But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. ALLEN. Mr. President, no attempt will be made by me this morning to discuss the question of national expansion at any length. I will confine myself to referring to that subject in general language, but before I conclude I shall attempt to distinguish between necessary and natural territorial expansion and what may be called Napoleonic imperialism.

I shall, at another time and when my friends on this side of the Chamber are not so pressed for time that they are compelled to refuse ordinary Senatorial courtesy in extending the hours of a session to enable a full and complete discussion of the question, endeavor to point out to the Senate and the country the evils and dangers of imperialism as they appear to me.

I shall vote to ratify the treaty of peace with Spain, and in doing so I must not be regarded as representing the views of anyone but those of my constituents and myself. I have necessarily been absent from the Chamber for some days, and I have not had the full benefit of all the speeches that have been made during

that time, but I have read sufficiently on the subject to satisfy my mind as to what course I should pursue. I think, however, that I ought now to set at rest, as far as I am capable of doing so, a suggestion of the Sunday morning Washington Times, in which it is said:

If Senator ALLEN makes good his promise to enlighten the Senate and the country as to the motives that control Senator GORMAN in committing his party in the Senate to a cause directly opposite to that recommended by William J. Bryan, * * * and if all other things happen that it was said yesterday would happen, then the three hours of the Senate's session preceding the vote on the peace treaty will indeed be dramatic and exciting.

Mr. President, if there is anything I dislike, it is to be patted on the back and coddled and nursed like an infant by a newspaper. I have the greatest respect for that kind of journalism that is cast on a high plane and takes a lofty view of public questions, but I have not the slightest regard for that kind that would deal with the prejudices of men or that would appeal to any real or supposed vanity that I might possess to influence my conduct regarding a public question. The statement of that paper is gratuitous. It is wholly inexcusable, for I have at no time "promised to enlighten the Senate and the country as to the motives that control the action of Senator GORMAN." Nor do I know what his motives are or what he intends doing, nor am I concerned in knowing.

The distinguished senior Senator from Maryland [Mr. GORMAN] and I are friends. Our relations have never been clouded by a doubt or suspicion as to the sincerity of purpose of either, so far as I know; certainly they have not on my part. I regard the Senator as a patriotic and sincere statesman, as all the world knows him to be an able, clear-headed, and courageous man. Mr. President, I entertain views of public questions which that Senator repudiates and he entertains views of a public nature that I could never be induced to accept, and much as I respect him and believe in his sincerity and patriotism, and cheerfully as I pay tribute to his great ability and statesmanship, there are no circumstances under which I could be induced to follow his leadership on public questions, the adoption of which would, in my judgment, bring in their train nothing but want and misery and distress to my country.

Mr. President, I am not the keeper of the conscience or of the opinions of Colonel Bryan. I know no more of his wishes or opinions than I gather from his public utterances, a means of information open to all. I do not presume to represent him here or elsewhere, and assertions frequently made that I am doing so are utterly unfounded, sinister, and insincere. I am proud to admit that I at least regard myself as the personal, as I trust I am also his political friend, and I may be permitted to say, Mr. President, in this presence, without intending to reflect in the slightest degree on any other gentleman in public life, that I regard him as easily the superior in point of knowledge and capacity for public duty of any living American statesman, and I do this not because I am his debtor for political or other favors, as he is not my debtor. Whatever may betide him, I am clearly of the opinion that the impartial historian who may write in the calm of another age will rank him with Webster and Clay and that he will be regarded by future generations as one of the greatest statesmen our country has produced. I look upon him as a comet that has appeared in the political heavens, as those great statesmen appeared, that is seen upon the political horizon of our country once in a generation only.

Mr. President, if there is a man in this world who is absolutely sincere in the doctrines he advocates, that man is Mr. Bryan. He is not a demagogue, as the groundlings and tumblebugs of politics would have the world believe. The sincerity of his political convictions no man who knows him can question. They partake more of religion to him than anything else. To him his duty and pathway are clear. He is not seeking personal advantage, and his convictions on public questions are dearer than the office of President of the United States.

In another article in the Washington Sunday Times it is said:

The same gossips who have associated Senator QUAY's name with a possible bolt on the treaty are also referring to Senator ALLEN of Nebraska as one desiring some favors of the Administration. It seems to be a fairly well-established fact that in the early part of the debate on the treaty Senator ALLEN announced himself in favor of its ratification, and before going to Nebraska, about three weeks ago, he was paired with a Senator who would vote in opposition. After Senator ALLEN returned from Nebraska he was quick to announce that he was going to vote against the treaty, and shortly after the Senate convened yesterday he offered a resolution more sweeping in its provisions than any of those now pending introduced by Senator VEST, Senator BACON, and Senator SULLIVAN. Mr. ALLEN goes further than the others. He is not willing to accept Porto Rico as one of the spoils of war, but wants to give the people of that island, as well as the Filipinos, an independent government, the same as is promised for Cuba.

It has been intimated that Senator ALLEN would not object if the Administration would so exercise its influence on the Nebraska legislature as to have the Republicans join with the Populists and reelect him for another term. It is not known that Senator ALLEN would change his position on the treaty if this were done, but it is argued in political circles that this might not be bad politics from an Administration point of view.

It is very difficult, Mr. President, to meet and refute a gratuitous and unwarranted assertion of this kind. No man has ever had

the slightest occasion to doubt where I stood in respect to the ratification of the treaty. I have never occupied doubtful ground. From the time the treaty came to this Chamber and was laid before us, aye, at a time when I knew through the press what its provisions were, important as they are and as divergent as they are from my own views, I announced my purpose to vote for its ratification.

I am not seeking favors at the hands of this Administration. There is no favor President McKinley could confer upon me that would change my opinion in the slightest degree. I am an American citizen, having all the convictions and intensity of purpose of an American citizen. I am not prepared to surrender my views for favors to be shown. I would rather take my station among the humblest of my kind than to surrender an honest conviction, that is always dear to a self-respecting man.

Mr. President, there has been no purpose upon the part of this Administration, so far as I know, of extending to me any favor. Indeed, I do not know what favor could be extended to me; nor has there been the slightest intention on my part to invite the Republicans to assist me to a reelection. I do not want a reelection that badly. I would not now, if the Republican party of this great nation would tender me their services in the struggle going on in the legislature of Nebraska, accept it.

I have not seen nor talked with the correspondent of a newspaper since my return to this city from my home in Nebraska, and no man has a right to attribute, and if he was a self-respecting man he would not attribute to me opinions and purposes and motives I have not entertained.

Now, Mr. President, because I shall vote for the treaty it does not follow that I am in favor of annexation. I do it for the simple reason that in my judgment the Government of the United States can not afford to open up negotiations with the Spanish dynasty again. We have the whole question within our jurisdiction and within our power, and here and by us alone it should be settled. If by amending the treaty we send it back for further consideration by the commissioners, or to new commissioners to be appointed; if we open up the subject-matter of the treaty, we will, in my judgment, especially in the light of very recent events, incur the danger of European interference and European complications.

Sir, it is because we will have the power, when the treaty is ratified, of determining the form of government to be set up in the Philippine Islands and in the other possessions that have come to us as a result of the war, without incurring any danger from abroad, that I shall vote for the ratification of the treaty.

If I had been a member of the commission I would not have assented to many of its provisions. I would have insisted that the same provision which applies to Cuba should apply to the Philippines and to Porto Rico. Otherwise I would not have been brought to sign the treaty or the report favorably recommending it. But, sir, the treaty is here, and it must be disposed of by the American Senate without further delay.

I am not in favor and I shall not vote for the joint resolution of the senior Senator from Georgia [Mr. BACON]. If passed by Congress and signed by the President, it would simply become a statute that may be repealed by another Congress. It is not expressive of the conviction of this body, which is the constitutional tribunal that must pass upon the treaty and construe and give it force. It would not, in my judgment, possess the force of an ordinary Senate resolution expressing the views of the Senate.

Nor, Mr. President, will I vote for any amendment, not that I would not do so under ordinary circumstances, not that I do not believe the treaty would be better for the amendment offered by the Senator from Missouri [Mr. VEST], but because to vote for it and amend it would open the whole controversy to further negotiations and invite the danger which I fear would come.

Mr. President, it has been asserted in this Chamber by a number of Senators that the Constitution of the United States does not ex proprio vigore extend to newly acquired territory. I desire in my own way to combat that proposition. I am surprised to hear any Senator announce that the Constitution, so far as the privileges and immunities of citizenship are concerned, does not of its own force extend to all territory within our jurisdiction and to the inhabitants thereof.

I have devoted some time to searching the history for precedents and in endeavoring to come to a point where my own judgment would be safely anchored on the question whether the Constitution extends to newly acquired territory at the time of its acquisition and whether the rights of the inhabitants of such territory are protected by its provisions, or whether they possess only such rights as Congress may see fit to give them or as may be exercised by a practically unrestrained military government.

History, so far as it throws any light on this subject, has been fully presented by Senators who have spoken, and there is little to be said that has not already been quoted and analyzed. Executive and Congressional precedents have been fully exposed, and every deduction that could be made therefrom has been fully and

exhaustively presented. Senators have vied with one another in calling attention to the acquisition of territory, beginning with that of Louisiana in 1803 and ending with the Hawaiian Islands in 1898. Expressions of learned judges made by way of arguendo, because the courts must recognize the political boundaries and sovereignty of the nation as marked by the political branch of the Government, have been repeatedly referred to, but they are none the less interesting from the fact that they do not have the force of law, as they necessarily have deep significance to one searching for the solid ground of truth.

The field of learning seems to have been entirely covered so far as the history of the case is concerned, and also so far as reasonable deductions can be made therefrom. There have been in the entire history of our Government, from the formation of the Constitution and the distribution of its respective powers, two schools of constitutional thought; the one holding tenaciously to the doctrine that the Government possesses and can exercise authority, so far as its foreign policy is concerned, consistent only with the primary purpose of maintaining a government for certain well-defined territories and well-defined inhabitants thereof and their posterity. This school is known as strict constructionists. They hold that the Government is one of delegated powers alone, and that a power does not exist unless expressly granted or necessarily or at least conveniently implied to carry out a granted power.

The other school is perhaps best known as the Hamiltonian theorists, that have from time to time held that the Constitution created a government national in character and possessing, as respects its external relations, not only an express but an implied authority necessary to be exercised with foreign countries as completely and as fully as any nation of the world. Arguments have been brought forth from time to time by these different schools in advocacy of their respective views, and conflicts of a very sharp and important nature have been the result.

Every constitutional expression, clause, and sentence has been examined with a resolute purpose of ascertaining its true meaning, not only in the light of original discussion and as presenting a question of first instance and greatest importance, but also in the light of history and of the spirit and atmosphere of the period of constitutional formation. The temper, habits, and thought, as well as the known intention, of the framers and their unswerving desire of erecting a government that should exist for all time, under whose flag and sovereignty the mightiest nation of the earth would be carried forward to a dreamless and endless destiny, have been considered.

Mr. President, I have been impressed, since the acquisition of this new territory as a result of the war with Spain, with the overshadowing necessity of considering the question with faultless accuracy. What we may do is not to be the work of an hour, nor can it be undone by subsequent legislation or executive order, but it is to stand for all time and involves for final weal or woe the present inhabitants of the United States and those of the new territory, as well as those of countless generations to succeed. If, unfortunately, we shall authoritatively express a conclusion that would cause our country to be overrun by a horde of alien peoples in no manner capable of using or enjoying the blessings and privileges of self-government, or of maintaining them when won by others, whose presence and influence would deteriorate or injure the nation, ultimately wrecking the Constitution and destroying our political institutions, a horde of people unassimilable by reason of turbid and passionate natures, the consequences would be fearful to the happiness and progress of the world, and we would be justly chargeable with inexcusable incompetency to deal with the question.

The Government of the United States was erected for all ages. It was established through the agitation, struggle, and bloodshed of those who had been seeking for generations the formation of political institutions where individual independence, action, and thought would have the largest field of operation. The doctrine of the divine right of kings to rule was for the first time in the history of the world ignored and set aside, after a revolution lasting over seven years and prosecuted under discouraging circumstances, but which, aided by Divine Providence, eventually resulted in the dismemberment of that people from the mother country and from her political institutions. For the first time in all history the right of every human being, by virtue of his birth, to govern himself and indirectly exercise sovereignty in the conduct of the affairs of his Government, helping to shape its policies and to mold its institutions, was announced.

Europe, horrified at this declaration, expressed free and frequent opinions that a government by the people could not long exist, and that, amid warring factions, turbulent multitudes, and the incompetency of those intrusted with the immediate exercise of sovereignty, it would fall and be succeeded by an aristocracy, an oligarchy, or even monarchy itself. Mr. President, it has been the pride of every American citizen that the political institutions erected by the fathers of the Republic for the benefit of themselves and their posterity have survived, and that by the exercise of a

high degree of intelligence and deliberation, caution, patriotism, and moderation, it will be within the power of the people to reorganize the authority of the Republic on higher and broader principles and place it in a position where the least restraint shall be exercised over the people consistent with public peace, good order, and safety.

We should not, in discussing the questions presented by these resolutions, forget these facts, and nothing should be done that would in the slightest degree militate against or imperil our institutions.

But the first question presented for consideration is one of naked constitutional power of acquiring territory and the extension thereof of the provisions of the Constitution to the inhabitants at the moment of its acquisition. Mr. President, I must admit, although familiar in a general way with the history of the formation and great purpose of the Constitution, that when I first began examining this question and the policy and course of the Government I found myself, as I supposed, unalterably arrayed against it.

I had held, as I think all will agree, that this being a government of enumerated powers, written and implied, the doctrine of limitation extends to our foreign relations as well as to our domestic institutions, and that a power not classified with one or the other of these does not exist, and I am inclined to think that this was the earlier opinion of those who participated directly in laying the foundation of the Republic. But I am now convinced that I was wrong in so far as the exercise of constitutional power with foreign nations, or in the acquisition of additional territory is concerned. Whether or not the great lawyers, patriots, and statesmen who drafted and adopted the Declaration of Independence, and those who submitted the Constitution of the United States, as well as many of its amendments to the people, clearly understood the power that was being granted to the nation, so far as its foreign relations are concerned, it must, I think, be admitted that express grants were made that gave the United States as full and perfect sovereignty in our relations with foreign countries and foreign people as would or could be possessed or exercised by the most absolute kingdom or monarchy of earth.

Doubtless it was not believed by many in the early history of the Government and during the period covered by the promulgation of the Declaration of Independence, the formation of the Articles of Confederation, and the Constitution, that we would ever extend our jurisdiction over the entire Temperate Zone of America, and few dreamed that a powerful and compact nation with limitless commerce and agriculture and with complex industries would eventually extend from the Atlantic to the Pacific Ocean.

There may have been those who hoped for that time, and therefore it is consonant with the truth to say that it may have been anticipated, if such an event should happen, that Congress should have power to admit new States "into this Union," and "dispose of, and make all needful rules and regulations respecting the territory and all other property belonging to the United States."

Mr. President, it seems to me that it can not, in the light of the amendments to the Constitution, be denied that the United States possesses this power. There was a time in the history of this Government when the status of an American citizen was uncertain; there was a time when the question was mooted whether there could be a citizen of the United States separate and distinct from his citizenship of a State. I say the question was at least unsettled. There were jurists of national reputation, high in authority, who held that every man acquired his citizenship of the United States by and through the fact that he was a citizen of some State, while, on the other hand, there were those equally high in authority, and whose opinions were of equal weight, who held that the Constitution, regardless of the amendments, created the distinct character of a citizen of the United States independently of the State or Territory in which the individual resided.

Mr. President, in the light of amendments to the Constitution, I think there can be no longer any question respecting the status of a citizen; but I desire to refer to and read section 3, Article IV, of the Constitution, which says:

New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

The words of that section are general. "New States," so it says, "may be admitted by the Congress into this Union;" and then the section immediately limits the general language employed, providing "but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress."

From what territory, Mr. President, was it anticipated that new States should be formed? The colonies had certain possessions at the time of the formation of the Constitution. If new States could not be erected out of the States already in existence or by

the consolidation of States or parts of States without their consent, and without the consent of Congress, where was the Government to look for the territory it could admit as new States into the Union? I can not and do not believe it was in the minds of the great men who framed this great charter of our liberty that the territorial dominion and jurisdiction of this Government should be limited to the thirteen States east of the Allegheny Mountains. Sir, I believe that Washington and his compatriots looked west of the Alleghenies and across this continent to the Pacific Ocean, and that the great men who penned this immortal instrument had it in their minds that this Government would grow to a point where it would be necessary and proper to annex new territory and to admit new States.

If I am to be called a latitudinarian because I believe this, I must submit to the classification. And yet all my life I have given my unhesitating devotion to the doctrine that the Constitution called into existence a government which did not exist before; that that government is one of delegated or enumerated powers, and that it does not possess a power not granted or not necessarily, or at least conveniently, implied to carry into execution some granted power. I give my adhesion to that doctrine now. Sir, I have no more doubt that such was the belief of those who framed, promulgated, and adopted the Constitution than I have of my own existence; and yet I can understand quite well how, with all the caution exercised by the fathers of the Republic and the members of the Constitutional Convention, powers may be discovered couched in the Constitution that they themselves were not fully cognizant of at the time.

Then, Mr. President, I turn briefly to paragraph 2 of this same section of the Constitution:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

What territory was meant by this provision of the Constitution? Was it intended that Congress should have power to make rules and regulations for governing the territory embraced in the States? Certainly not. Each of the States had a perfect government of its own, exercising every conceivable power an independent government could exercise, except in those cases where the States granted power to the General Government, and where by the adoption of the Constitution they had restrained themselves from the exercise of power; in other words, when the Government of the United States was created, the thirteen original States carved out of their otherwise unrestricted sovereignty certain powers which they conferred on the General Government, and restrained themselves from the exercise of certain other powers, and with those exceptions each State to-day can exercise all the power of the most independent and absolute government of earth.

And who is bold enough to deny that the inhabitants of newly acquired territory fall within the language and purpose of the fourteenth amendment of the Constitution, which declares that "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside?" If the Philippine Islands are to be annexed to the United States, would not their inhabitants "be subject to the jurisdiction thereof" and consequently "citizens of the United States," and as such entitled to all "the privileges and immunities thereof?"

Mr. President, the hour when the Senate under its unanimous-consent agreement is to pass into executive session to vote on the treaty is rapidly drawing near. Other Senators desire to speak upon this question before that hour, and I must necessarily be brief in the remarks I am to make; but I can not resist the temptation of calling attention to a remarkable statement of the senior Senator from Ohio [Mr. FORAKER] in his speech the other day, when he declared that the Declaration of Independence was simply a bill of complaint, or a bill enumerating certain grievances against the British Crown.

Mr. President, I am not too old to learn; I learn daily; and I hope during the years that may be allotted to me on earth I may never grow so old and inattentive to duty as not to learn hour by hour; and yet I have supposed throughout all the years of my life that the Declaration of Independence is the first great charter of American liberty. It was not the beginning of government; it was the first crystallization in the form of a written document of certain well-known and generally accepted doctrines held in this country in colonial days; it was the first defiance that was hurled in the face of England and Continental Europe by the colonists who inhabited this country. It was not and is not simply a bill of complaint against the English Government. Let me read a paragraph from it. Said the Continental Congress:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundations

on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

Mr. President, that does not sound like a mere bill of complaint against the English Government. It was the announcement of principles that are as deathless as the sun and as eternal as the rock-ribbed earth. I say in this splendid presence this day that I hold to the doctrine that every human being is born with the right to rule and control himself, if capable. I can not understand how, through the ages that have passed, any man could be found of such indifferent or weak intellect that he could have reached a different belief.

Mr. President, it is as much the right of a Filipino to govern himself, if he is capable of doing so, as it is the right of an American citizen to do so. This doctrine is not confined to the people of the United States. It extends, according to the language, to all men, wherever found; yet the Senator from Ohio would have this great document mean no more than a mere bill of complaint against the English Crown!

Nor, sir, can I agree with the distinguished Senator from Connecticut [Mr. PLATT], who announced the startling doctrine in this Chamber that it was the right of "some of the governed" to participate in the government. I do not quote his exact language, but the substance of what he said. That, too, is a novel and startling proposition. Where is the line of demarkation to be drawn? Our ancestors said it was the inalienable right of all men to participate in their government. Sir, there was no restriction, no limitation. All, so they said, were entitled to this blessing; and yet in the Senate of the United States the monstrous doctrine is advanced that a few men alone are entitled to participate in the government. Where, I ask again, is the line of demarkation to be drawn? Is it to be placed on religious, on political, on personal, or on educational ground? No, Mr. President, the doctrine was monstrous in its conception and it would be disastrous in its consequences if applied.

Mr. President, I desire to call attention to a remark of the distinguished senior Senator from Virginia [Mr. DANIEL], made on Saturday last, presenting an argument with which I can not agree and in which I do not concur. That Senator said that the power to acquire territory exists as incident to the war-making power, which is correct, and then he said territory could be acquired by treaty and by cession. There are but two ways to acquire territory under the Constitution—one as an incident of the war-making power and the other by virtue of the treaty-making power. What is a cession but a treaty? It is, as the law books say, a treaty of cession, just as we speak of a treaty of commerce or a treaty of amity and peace. There is no way known among men, under a Government like ours, of acquiring territory except as an incident of the power to make war and by virtue of the power to make treaties with foreign nations.

The distinguished Senator said the difference between a treaty and a cession was this: That a treaty carried with it certain interdependent obligations binding upon both parties, while a cession was no more than a deed of quittance or a release to the party receiving it. Sir, that is like the impossible distinction made by some law writers between a bilateral and a unilateral contract. You can scarcely open a law book that treats on the subject of contracts that you will not find refinements and distinctions between a bilateral and a unilateral contract; and yet, in my judgment, there is not the slightest distinction between such contracts, for every contract, whether it be signed, every contract, whether it be partly in writing or rests partly in parole, is a contract that carries with it obligations and duties on the part of the respective parties. So, Mr. President, I assert again that the sole power possessed by this Government to acquire territory is by virtue of the war-making power and the treaty-making power.

I have no doubt, Mr. President, as declared by the resolutions under consideration, that in permanently acquiring territory we would do so with the view of incorporating its inhabitants into our population as citizens. All through the history of our acquisition of territory, beginning with Louisiana in 1803 and ending with the Hawaiian Islands, our ancestors have understood, and we, too, that we hold the acquired territory in trust for statehood. So our law writers and so our jurists have declared from time to time. We have no power, in my judgment, to hold the Filipinos as vassals. We have no right to deprive them, whatever they may be, of the right of self-government if they desire it. It would be ruinous, in my judgment, if we sought to do so.

Sir, we are confronted to-day in our own country with a great race problem, that must be solved soon if it is not to bring us trouble. We have conditions existing in certain sections of the Union that can not always continue. It will be the part of wise and conservative statesmanship for the American statesmen to deal with this problem in a few years. Are we now prepared, under these circumstances, to take within our population 12,000,000 people alien in race, alien in language and in purposes to a great popular government like ours? I challenge any gentleman on this floor on either side of the Chamber, I care not who he may

be, to point out the authority this Government would have, when the Philippines are annexed to the United States, to restrict the expatriation of those people and their immigration here. Sir, there is no power to prevent it. The moment we permanently annex those islands to this country and they become a district or a Territory of the United States, that moment we extend our jurisdiction over them and over the people, and those people will have as much right to come into the District of Columbia or to settle in any State of this Union as I have to pass from Nebraska to Iowa or any other part of our common country.

It may be, sir, that there is a sinister motive in this; it may be that there are those who contemplate the rapid approach of the time when this debased population can be brought here and thrown in deadly contact with the laboring men of our country. I ask the Republicans of this Chamber what will become of your tariff laws under such circumstances? You have said to the laboring man of this country for more than a quarter of a century that a protective tariff is a blessing to him. You have made many of them believe it. Of course it was never intended to benefit the manufacturer, according to your argument. The manufacturer, the man who reaps the benefit from a protective tariff, has been sedulously excluded from the argument; but the tariff was to reach its strong arms around the laboring men and protect them and their families.

You said to them in 1896 that you wanted this country protected from the pauper laborer of Europe and the manufactured articles of pauper labor, and yet by annexation you will open wide the door to an endless horde of nondescript population that can come to your very doors in spite of all you can do, in deadly contact with the laborer of this country, debasing the civilization of himself and his family. You will simply move the factory from the United States to Manila and the Hawaiian Islands. And what, too, will become of the Chinese-exclusion acts? They will be swept away and a resistless tide of cheap labor admitted.

Mr. President, there has never been a moment in my life since I have been old enough to understand anything about the political institutions of this nation that I have not been devoted to the welfare of my country. There will never come a time in my life when this country will not have whatever strength and influence I can give it. I may not approve of some of its policies, as I do not. I may disagree with the distinguished gentleman who is at the head of this Government at the present time, as I do. But, sir, I do it honestly, because I believe many of his policies are wrong. I am not to be driven from my position because some portion of my constituency may not approve of my views. I would rather take my station in the obscurest community of my State and devote the remainder of my life to eking out an existence by the most onerous manual labor than to surrender to any man, high or low, or to any organization or party, an honest, conscientious conviction of duty.

But, Mr. President, we must not shut our eyes to the dangers that confront us. Let it be once understood that we are to abandon the domestic policy that has been ours throughout the years of our national existence and embark on the uncertain sea of imperialism, to become "a power," whatever that may be, of the world, and our institutions that have been held dear for more than a century and a quarter, our flag that has floated in triumph over every foot of our common country and that has ridden the storms of the sea in triumph and in glory will be hauled down not only in Manila, but in this country as well. Can we afford to take the risk? Can we afford to incur the danger?

Sir, I hold that the foreign policy to be pursued by this Government must inevitably be a policy incident to and in aid of a strong domestic government. Such was the declaration of Hamilton himself. It was said in one of his articles in the *Federalist* that in the very nature of things a republic can never have an aggressive foreign policy. He said its safety was to be found in its isolation and in its compactness, for, said that great man further, in a Republic like the United States, where the Administration is changing every four years, a policy that is aggressive, that believes in the forcible colonization of other lands, may, by the election of a Chief Magistrate holding different views, be overturned and changed.

Mr. President, the news has come to us within the last few hours of a conflict between the American Army and Navy and the Filipinos. To my own State has fallen much of the loss of life and limb. Ten out of twenty of the young men who lost their lives in the battle that has been fought in the last forty-eight hours were members of the First Nebraska Infantry. There is mourning in Nebraska to-day; there will be weeping at the hearthstone of many a Nebraska home to-night. Mr. President, this ought to be a warning to us. I can not condemn too severely the assault, the treacherous assault, made on our troops. We were dealing with savages as bloodthirsty and incapable of being reconciled as the Ogallala Sioux. They precipitated this conflict of their own volition.

I uphold the general and the commander of the Navy in repelling the attack. We are in the Philippine Islands as a conquering

military power. We hold them to-day by virtue of the power to make war, and in no other sense, and there those islands and those people must remain respecting the law, respecting the dignity and the sovereignty and the flag of this nation until their status among the nations of the earth shall be defined by Congress, the sole power to deal with the question. They must be taught as long as we deal with them that submission to the constituted authority is the first duty of the citizen and the inhabitant. But, sir, if we are to hold them, if in time they are to come completely within our jurisdiction, we must not refuse them the ordinary privileges and immunities of an American citizen.

If prayer be a sincere desire of the human heart, I fervently pray that this great danger may be averted and this complex question may be solved in justice and in honor to our nation and in justice and in honor to the conquered. Those islands and those people must not be surrendered to Spain. Spain has lost her jurisdiction over them and over the islands of the Western Hemisphere forever. God grant the day may speedily come when Spain, unless she changes her civilization, shall be blotted from the map of nations. God grant the day when the Filipinos and the inhabitants of Porto Rico and Cuba may rise to a true conception of the duties and obligations of citizenship; when they too, with the encouragement of this great and powerful Republic, shall take their station among the civilized republics and peoples of the earth.

Mr. CLAY. Mr. President, I shall not occupy more than seven or eight minutes of the time of the Senate.

At 3 o'clock this evening each Senator will be called upon to cast his vote for or against the ratification of this treaty. I deem it just to myself and my constituency to briefly explain the reasons that lead me to the course I shall pursue when that hour arrives. Before I proceed to do this, I will say when a boy I linked my fortunes with the Democratic party. I have followed the standard bearers of that party in defeat and victory with a loyalty and devotion that no one has ever questioned.

It is always pleasant to me to agree with a majority of my colleagues on this side of the Chamber. I do not question the motives, Democracy, or patriotism of those who do not agree with me. I owe it to my State and my country to have and express an opinion of my own. That opinion has been formed after the most mature reflection and my duty to my country I will pursue, as I see it, regardless of the consequences.

It is well to confer and reason together, but I would despise myself if I were governed by the influence of friends and associates against my conscience and judgment.

At the last session of Congress I cast my vote against the annexation of the Hawaiian Islands. I am now unalterably opposed to the annexation and permanent retention of the Philippine Islands. I hold in my hand the resolution of the senior Senator from Massachusetts [Mr. HOAR], also the resolution of my colleague [Mr. BACON], also the resolution of the junior Senator from Kansas [Mr. HARRIS], and the senior Senator from Kentucky [Mr. LINDSAY], also the amendment to the treaty offered by the senior Senator from Missouri. For each of these I shall cast my vote if given an opportunity. I prefer, first, the resolution of the Senator from Massachusetts; next, the resolution of my colleague; and if these are voted down then I will vote for either of the other resolutions. I will never cast my vote in favor of the Sullivan resolution, for in my opinion it is a mere shadow without any substance. These resolutions provide for an independent government for the people of those islands. I ask that each be inserted as a part of my remarks.

The resolutions referred to are as follows:

[Senate resolution No. 464, Fifty-fifth Congress, third session.]

In the Senate of the United States, January 14, 1899, ordered to be printed. Mr. HOAR submitted the following resolution:

Resolved, That the people of the Philippine Islands of right ought to be free and independent; that they are absolved from all allegiance to the Spanish Crown, and that all political connection between them and Spain is and ought to be totally dissolved, and that they have, therefore, full power to do all acts and things which independent states may of right do; that it is their right to institute a new government for themselves, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness; and that with these rights the people of the United States do not propose to interfere.

[Senate resolution 211, Fifty-fifth Congress, third session.]

In the Senate of the United States, January 11, 1899. Mr. BACON introduced the following joint resolution; which was read twice, and ordered to lie on the table. January 18, 1899, amended. January 30, 1899, modified and ordered to be reprinted as modified.

Joint resolution relative to the acquisition of foreign territory.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First, That the Government and people of the United States have not waged the recent war with Spain for conquest and for the acquisition of foreign territory, but solely for the purposes set forth in the resolutions of Congress making the declaration of said war, the acquisition of such small tracts of land or harbors as may be necessary for governmental purposes being not deemed inconsistent with the same.

Second, That in demanding and in receiving the cession of the Philippine Islands it is not the purpose of the Government of the United States to secure and maintain permanent dominion over the same as a part of the territory of the United States, or to incorporate the inhabitants thereof as citizens of the

United States, or to hold said inhabitants as vassals or subjects of this Government.

Third, That whereas, at the time of the declaration of war by the United States against Spain, and prior thereto, the inhabitants of the Philippine Islands were actively engaged in a war with Spain to achieve their independence; and whereas said purpose and the military operations thereunder have not been abandoned, but are still being actively prosecuted thereunder, therefore, in recognition of and in obedience to the vital principle announced in the great Declaration that governments derive "their just powers from the consent of the governed," the Government of the United States recognizes that the people of the Philippine Islands of a right ought to be free and independent; that with this view, and to give effect to the same, the Government of the United States has required the Government of Spain to relinquish its authority and government in the Philippine Islands and to withdraw its land and naval forces from the Philippine Islands and from the waters thereof.

Fourth, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein entitled to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

[Senate resolution No. 495, Fifty-fifth Congress, third session.]

In the Senate of the United States, February 3, 1899, ordered to lie on the table. Mr. HARRIS submitted the following resolution:

Resolved by the Senate of the United States of America, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over the Philippine Islands, and assert their determination, when a stable and independent government shall have been erected therein entitled to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

[Senate resolution 236, Fifty-fifth Congress, third session.]

In the Senate of the United States, February 3, 1899. Mr. LINDSAY introduced the following joint resolution; which was ordered to lie on the table and be printed:

Joint resolution respecting the acquisition of foreign and non-American territory.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the acquisition by the United States, through conquest, treaty, or otherwise, of territory carries with it no constitutional obligation to admit said territory, or any portion thereof, into the Federal Union as a State or States.

Sec. 2. That it is against the policy, traditions, and interests of the American people to admit States erected out of other than North American territory into our Union of American States.

Sec. 3. That the United States accept from Spain the cession of the Philippine Islands with the hope that the people of those islands will demonstrate their capacity to establish and maintain a stable government, capable of enforcing law and order at home and of discharging the international obligations resting on separate and independent States, and with no expectation of permanently holding those islands as colonies or provinces after they shall demonstrate their capacity for self-government, the United States to be the judge of such capacity.

[Senate resolution No. 481, Fifty-fifth Congress, third session.]

In the Senate of the United States, January 27, 1899. Ordered to lie on the table and be printed. Mr. SULLIVAN submitted the following resolution:

Resolved, That the ratification of the pending treaty of peace with Spain shall in no wise determine the policy to be pursued by the United States in regard to the Philippines, nor shall it commit this Government to a colonial policy; nor is it intended to embarrass the establishment of a stable, independent government by the people of those islands whenever conditions make such a proceeding hopeful of successful and desirable results.

Mr. CLAY. I shall vote now and at all other times hereafter when I have an opportunity against the permanent retention of those islands and against our Government undertaking to establish a colonial government against the will of the people of those islands. But I say now, duty to myself, to my State and country, as I see it, will not permit me to go further and cast my vote against the ratification of the peace treaty. If I thought my country would be benefited by such action, how I would rejoice to agree with a majority of my party associates.

I have sometimes wished that reflection would lead me to agree with them, but no process of reasoning or logic has led me to reach any such results. When Schley sank the Spanish fleet at Santiago, Spain, realizing her prostrate and helpless condition, immediately sued for peace. The American people rejoiced that American arms had been successful and that the war was over. Peace commissioners were appointed by the two nations to negotiate terms of peace. The two nations, through their representatives, have agreed upon terms of peace, and we are now called upon to ratify or reject this peace agreement.

What does the ratification of the treaty mean? It would at once unconditionally end the war. It would end at once the sovereignty of Spain over the Philippine Islands, and the great problems growing out of the war can be settled much more satisfactorily after peace is agreed upon than we can by continuing war. I prefer now a declaration of policy against the permanent retention of the Philippine Islands, but if I can not get it I will not go backward. Where does the rejection of the peace treaty leave us? Just exactly where we were when negotiations began. Spain could say, We agreed to your terms of peace and you rejected them: further negotiations must be had or the war must continue. No man can tell what complications might arise. We would have to treat further with Spain or hostilities would necessarily be renewed, and no one can tell what serious results might follow. It is a great and difficult task to settle differences between two nations engaged in war, and when such settlement is brought about

it should not be disturbed, unless we can hope for good results from such disturbance.

It has been said that if we reject this treaty an extra session of Congress can be called, and that then the ratification will take place; but during this time the unsettled condition of affairs, in my judgment, will not benefit the business interests of the country. I do not believe any possible good can grow out of the temporary rejection of the treaty. I think the sooner the war is ended, the terms of peace definitely fixed, the better it will be for the country. I feel that when I give my vote and voice in favor of a declaration of policy looking to the independence and self-government of those people I have discharged my duty, and the responsibility for their future government will rest with the Republican party, now in charge of all three branches of this Government.

The great Democratic party, to which I belong, I do not believe will cease its labors to establish a stable and independent government in those islands, one that will give to the people their freedom and independence and that will finally relieve this Government from any responsibility there. Should the Republican party, in charge of all three branches of the Government, pursue a different policy and undertake to force upon those people, through our Army and Navy, a government against their will, and undertake to govern them as an American province, the great Democratic party will go to the American people on such an issue, and the patriotism, wisdom, and intelligence of the people will drive from power the political party that attempts to fasten upon the American people this new departure.

But, Mr. President, I insist that those of us who have stood here opposed to such a policy and have endeavored to obtain a declaration setting forth plainly and unmistakably the course to be pursued by our Government have discharged our duty and have cast the responsibility for the future action of our country upon the political party in charge of the Government. I believe that the resolutions that have been introduced ought to be voted on. Objections to a vote on them ought to be withdrawn and let every Senator have a right to go to the country on the record he makes on this all-important occasion. The American Senate is the tribunal to pass upon this treaty, and each American Senator should be allowed to vote on the issues made as his conscience and best thought lead him to believe is right.

Another word before I conclude. While I favor the ultimate independence of both Cuba and the Philippine Islands, I repudiate the idea that this Government must pay Spain \$20,000,000 for the Philippine Islands and then give to them an independent government without this sum being paid back to us. I repudiate the idea that we shall give to the people of the island of Cuba independence and self-government and pay the enormous expenses of the war out of the pockets of the taxpayers of this country. When we grant to the Filipinos their independence, arrangements should be made for them to pay to us every dollar we shall have paid to Spain for the purchase of those islands, both principal and interest.

When we grant to the Cubans the same condition of affairs as we have promised them, why should not the Cuban people be required to gradually pay to our Government the expenses of the war fought to free them from Spanish rule. Would it be just and right to sell four hundred millions of bonds and to pass war-revenue measures to raise funds to pay our soldiers to fight the battles of these people? If we are just to the American people, while we are giving liberty and independence to the people of these islands we will see to it that justice is done our own citizens. I can not conscientiously vote to reject the treaty, because I know and realize that these great problems must sooner or later be settled by the action of an American Congress. I believe to reject the treaty would be to make the complications more serious, the responsibilities greater; and the sooner we reach that condition of affairs where peace is definitely agreed upon between the two nations, the problems growing out of the war can be more satisfactorily solved.

With these problems staring me in the face, I can see no good to come to my country by casting my vote against the ratification of the treaty. I wish that reflection had led me to do otherwise, but to be faithful to my judgment, faithful to my conscience in the discharge of the duty that I owe to my State and to my country, I am bound to vote in favor of its ratification.

Mr. GORMAN. Mr. President, I have not consumed much of the time of the Senate in the discussion of the pending resolutions. I have had no intention of doing so, and would not now but for the occurrences of the last two days in this Chamber. The remarks of the distinguished Senator from Nebraska [Mr. ALLEN], who addressed the Senate this morning in connection with the remarks made by the distinguished Senator from Colorado [Mr. WOLCOTT], seem to make it necessary that I should say one word before we shall have entered upon the real consideration of the treaty in secret session.

It has grown to be an unfortunate custom, Mr. President, that the newspaper criticisms of public men find ready conduits in this

body, so that their utterances may be recorded here upon our records. No matter how severe the criticism, how unjust the comment, it seems that at times they are to find their way into this body and to be repeated by honorable members of the Senate.

My attitude upon this treaty was well defined in a public utterance before the treaty was negotiated so far as it refers to the acquisition of the Philippine Islands. My opinion upon that question was known and freely expressed by me to one of the commissioners who negotiated the treaty before he left this country for Paris. I have had no cause to change the opinions then expressed publicly and privately. They were opinions formed after mature deliberation; opinions that I believed were in the best interests of my country; opinions to be maintained by me, no matter what the influence may be upon the other side.

In my course in public life, Mr. President, Presidents of the United States and their Cabinets have had no terrors for me. I have opposed them when they were of my own political faith, when I believed that the measures presented were too extreme and would put in jeopardy the business interests of the American people. I oppose this treaty in the form in which it comes to us, and under which we are to acquire the sovereignty of the Philippine Archipelago, filled with people who never can assimilate with us, because I believe its adoption and the acquisition of the territory would be more disastrous to my country than any other measure which has come before the Congress of the United States or the Senate of the United States from the formation of the Government to this hour.

But, Mr. President, when a question as grave as this, which divides statesmen without regard to their political opinions, comes here for consideration and for final action, what do we find? I say final action, because it depends upon the Senate to-day at 3 o'clock whether we are to enter upon this new scheme which I think is fraught with so much disaster to the American people, for I care not for the Filipinos. I speak as I understand it in the interest of the American people alone. When that great question is to be determined we find that it is sought to influence the votes upon the question by small personalities.

I thank the Senator from Nebraska for naming me. It is a manly and a courageous thing for him to do. It is more manly to do it in that way than to do it by insinuation, as has been done heretofore. I thank him for stating, also, that his and my views upon public questions are as far apart as the poles. I belong to the conservative Democracy, that can never entertain an opinion or advocate an action which will destroy the industries of my country by legislation affecting the country itself, and I will always stand against a measure that I believe would involve my country in untold woes for any number of years to come. He and I differ, widely differ. I respect his manhood; I respect his views; I acknowledge that he has the right, as I have, to express them in a manly fashion.

But, Mr. President, this question will not be settled, and it ought not to be dwarfed, by personal considerations. Who in this country cares for myself or for any other man in the Democratic party or for any man in the Republican party if his aspirations and his interests are against the welfare of the common country?

Yet the Senator from Colorado [Mr. WOLCOTT], in his carefully prepared speech, as I take it, after having described the conditions attending the consideration of the treaty, said (CONGRESSIONAL RECORD, February 4):

Bar England, there is not a country in Europe that is not hostile to us. During all this war they stood in sullen hate, hoping for our defeat and that disaster might come to us; and to-day they wait with eager and rapacious gaze, hoping that some event may yet prevent our reaping the fruits of the treaty which has been agreed upon by the commissioners of the two countries. Yet, while this critical condition of affairs exists, it has become evident within the last few days that certain political leaders in this Chamber believe that a new issue should be brought before the American people to be determined at the next Presidential election. They intend that the American people shall be called to pass on the questions arising out of the war, and that this shall be the issue of the next campaign.

For one I believe that issue a fair one, and I am ready, as all good citizens ought to be, to meet the views of the whole American people upon the question of the conduct of the war, of its achievements, and of the policy this country should pursue at its close. But it is deplorable, Mr. President, that in formulating such an issue and in pursuit of such a policy those leaders should find it necessary to seek to dishonor this Government and the Administration which has guided us so wisely through the troubled sea of international complications and brought us to the threshold of an honorable peace; that they should seek to degrade us in the face of the nations of the world; and that they should attempt to bring about some fancied political advantage by an effort to defeat the ratification of a treaty which, if unratified, must bring back a condition of war as it existed before the report of the commissioners, passive it may be, Mr. President, but full of uncertainty and full of disaster to the interests and the welfare of our country.

I suppose that a fair judgment and a charitable judgment would enable me to say that the Senator from Colorado alone, of all the Senators in this body, is the only one capable of such an utterance when we are considering such a great question.

Mr. President, aspirations of public men amount to but little. That the political desire for preferment of any man would control his vote upon this treaty is inconceivable to me, and he who en-

tertain such an idea is on a very low plane in the consideration of a measure so grave.

I, Mr. President, believe in parties. I believe in my party, because I believe that the interests of the people will be best served in the end by its promotion to power and its control of governmental affairs. I adhered to it when some of its doctrines were very far from meeting with my approval, because I have believed that in the main the interests of the country would be better subserved through it.

I have known gentlemen who float between parties, who have been strong advocates of public questions and yet support a party antagonistic to them. I have seen statesmen who were wild with the thought of the free coinage of silver, and yet who on every occasion found strength and a resting place in the Republican party, which believes in a single standard of another metal.

But I want to disabuse the Senator's mind, and those who have followed him, of their false impressions.

Mr. President, on the 3d day of March next, if I shall be spared so long, I will have served on this floor eighteen years. During that whole term I do not believe that I have ever uttered a word that wounded the feelings of a brother Senator. I do not believe that I could have been capable at any time of attempting to affect public questions by criticism of the personal conduct or views of any Senator who has occupied a seat upon this floor. I think I am incapable of doing so now; and hence the moderation of the language I have used in response to that which has been uttered.

One thing more, Mr. President. Now is the best and the only opportunity, probably, I shall ever have for stating it in a way that no man may misunderstand me. I have never had but one aspiration, and that measure has been filled by the people of Maryland, among whom I was born and bred, by honoring me with three terms in this body. That has been, and that is, the height of my ambition, and I leave this Chamber by their decree, and another who differs with me in political sentiment will succeed me on March 4. It is not in the mouth of any man truthfully to say that I have sought to obtain any other or higher favors by any act of mine. Had I desired alone political promotion, had I desired to advance myself against the interests of my country, I could have followed the example of others and bent—

The pregnant hinges of the knee
Where thrift may follow fawning—

when my party was in power. I did not do it.

The VICE-PRESIDENT. The Chair calls the attention of the Senate to the fact that the hour of 2 o'clock has arrived, and it is his duty to lay before the Senate the unfinished business.

Mr. ALLISON. I ask unanimous consent that the Senator from Maryland may proceed.

Mr. FAULKNER. It was the unanimous-consent agreement which was given originally that when a Senator had the floor at 2 o'clock he should continue to complete his speech.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Iowa? The Chair hears none, and the Senator from Maryland will proceed.

Mr. GORMAN. I shall detain the Senate only a few moments longer.

The VICE-PRESIDENT. The unfinished business, being Senate bill 1575, will be temporarily laid aside.

Mr. GORMAN. Mr. President, away beyond office, away beyond personal desire of promotion of any sort, stands the great question we are facing. On yesterday, Sunday, the cable flashed the news that because of the attitude of the American Republic in their determination, in their effort, in their threat to take possession of a people who did not desire to become a part of the nation the blood of American citizens had flowed. Those natives, fighting for their liberty as they understand it, made an attack upon the American Army.

Who, Mr. President, believes for a moment that if there was a provision in the pending treaty like the one relating to Cuba that our occupation would be only temporary, that it is only intended to aid them to form a better government to control their own affairs, that there would have been a single life lost? They would have submitted as Gomez has submitted, and turned their army as allies and supporters of the American flag, which would, under that condition, give them liberty and freedom.

Mr. President, I believe that if the pending treaty is ratified and we obtain a cession of the sovereignty of those islands, it will be only the beginning of a war that will cost us hundreds, yes, thousands, of lives of our splendid specimens of intelligent young manhood and millions and millions of money, and that when we shall have, as we will, driven them at the point of the bayonet to submit to the authority of the American nation, with all the accompanying destruction of property and lives, the whole archipelago will then be a pest to the American Union. I believe that it will open the door for a flow from the Chinese Empire and

from the islands themselves of a host of men, untold in numbers, who will not assimilate with, but will tend to degrade, the American people.

Do you remember, Mr. President—I do—that it was but ten years ago that this great American nation, with all its power, when two great political parties were lining up in the Presidential battle of 1888, was compelled by the working people, the men who are engaged in trades, the men who are engaged in labor, to abrogate a treaty with China which permitted the Chinese to come in? Only a few hundred thousand had come in on the Pacific coast, yet the feeling against them was so intense that both political parties were forced to declare against their further entry. I think it the most remarkable chapter in the history of the country and the only instance of the abrogation of a treaty by statute. While we were negotiating with China, a friendly nation, with which we were at peace, for a modification of the treaty negotiated by Mr. Seward in 1868, both parties were absolutely driven, so powerful was the feeling of the laboring people of the country, to pass an act of Congress which abrogated the treaty without giving the friendly nation an opportunity for consideration.

We made that restriction and destroyed our trade with China. They submitted to it as no other nation on the earth would have submitted to it. Our trade, however, melted away until it has run down to almost nothing as compared with that of Great Britain, France, and Germany. And now ten years after that act we propose to take islands that are in front of the China Sea. No nation on earth can guard them. No power is strong enough to prevent the Chinese from going over and obtaining a lodgment; and then it is a stepping-stone by which they will come to the United States, because when the islands are annexed the inhabitants become American citizens. You can not keep the Chinese out to-day with all the police power of the Government. You can not prevent their entry from Canada and from Mexico. It will not, in my judgment, be four years, if this treaty is ratified, before the American people will act as they did in 1888. I am not an alarmist, nor have I a desire to throw out a suggestion of disorder, but, judging from the past, our people will resent it.

I assume it is believed by the authors of this measure that the people will resent it; and hence you propose to provide for it by increasing the Army to be kept at home a hundred thousand men, at a cost of \$100,000,000 a year, not alone to take care of our affairs in those distant islands, but as a police force to help to control the American people.

Mr. President, this is possibly the last time I may address the Senate upon this subject, and I now enter my solemn protest against it. I want to see this great Government march on for all time, as it has in the past, relying upon the good will and good sense of the American people to support and protect their Government without the aid of armies.

Mr. President, I fear armies at home. I witnessed the great struggle of the war between the States which closed in 1865. Since its close I have seen a great army used in part to control the sovereign States of the Union. I also witnessed the patriotic and manly efforts of the great captain of our armies, General Grant, and of that fearless volunteer soldier, Gen. John A. Logan, of Illinois, and of Benjamin F. Butler, of Massachusetts, both members of the House, who raised their voices, as all statesmen had done in the past, and favored the reduction of the Army to 30,000 men, when their own country, one-third of it, was in a state of unrest. I want to follow in their lead—a lead which makes it impossible to govern the American people by bayonets.

The spectacle has just been presented of the President of the United States, kindly, manly, partisan as he has always been, in his tour through the Southern country, preaching good will and kindness to all who inhabit that section of our common land, giving them full credit for their patriotism in this war, as he ought to have done, and making the kindly suggestion that the time had passed when there should be any distinction between the care of the graves of the Confederate dead and those of the Union soldiers. His sentiments are noble and magnanimous. But when you couple with them his other insistence, both public and private, that we must have 100,000 soldiers and a navy as large as France or Germany, how can his suggestion—honestly made, I admit—to the Southern people that the Government take care of the graves of their ancestors be otherwise interpreted than also meaning, "You must give me 100,000 men to keep in order their descendants who are living?"

Mr. President, from the whole transaction I shrink; from the whole transaction, in the interest of the people of the American Union, as I see their interests, I protest; for, I repeat, I believe the absorption of the inhabitants of these islands would be more disastrous than the war from 1861 to 1865 so far as the material interests of the country are concerned. I think it would be more disastrous than the picture drawn by the distinguished Senator from Virginia [Mr. DANIEL] of the great misfortune which came to us by the injection into our body politic of the slave, against the

protest of Virginia, and because of which the whole land was deluged in blood and brother turned against brother.

To Virginia, Mr. President, this country owes a debt of gratitude. From the days of Patrick Henry until the speech of the distinguished Senator from Virginia on my left, Virginia has always voiced the true American sentiment, which, if adhered to, will bring prosperity and glory to our common country.

EXECUTIVE SESSION.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

Mr. WOLCOTT. Mr. President, I ask unanimous consent that I may have five minutes to answer some personal allusions to myself made by the Senator from Maryland [Mr. GORMAN].

Mr. DAVIS. I am very sorry, but under the unanimous-consent rule adopted I feel constrained to object to the request made by the Senator from Colorado.

Mr. WOLCOTT. I hope the Senator will allow me.

Mr. DAVIS. I can not.

Mr. WOLCOTT. I only ask for five minutes, Mr. President.

Mr. GEAR. I ask unanimous consent that the Senator from Colorado may be permitted to proceed.

Mr. DAVIS. I am constrained to object, Mr. President.

The VICE-PRESIDENT. Objection is made to the request made by the Senator from Colorado [Mr. WOLCOTT]. The question is on the motion of the Senator from Minnesota [Mr. DAVIS], that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and ten minutes spent in executive session, the doors were reopened.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 4th instant approved and signed the following acts:

- S. 508. An act granting an increase of pension to John H. Sanborn;
- S. 1453. An act granting an increase of pension to Henry Wilson;
- S. 1454. An act granting an increase of pension to Mary Sprague;
- S. 1537. An act granting a pension to John D. Coulie;
- S. 2555. An act granting a pension to Hattie E. Gusler;
- S. 2886. An act to increase the pension of Thaddeus M. Joy;
- S. 2944. An act providing for the construction of a light-ship to be located near Cape Elizabeth, Me.;
- S. 3330. An act granting an increase of pension to Napoleon B. Armstrong;
- S. 3693. An act granting an increase of pension to Leah L. Price;
- S. 3705. An act granting a pension to Catherine Childers;
- S. 4147. An act granting an increase of pension to Robert W. Haywood;
- S. 4394. An act granting an increase of pension to Alexander Keen;
- S. 4399. An act granting a pension to Sarah Jordan;
- S. 4547. An act granting a pension to Eli M. Couch;
- S. 4584. An act granting a pension to Adda F. Thompson;
- S. 4601. An act granting a pension to Hayne Agnew; and
- S. 5191. An act to authorize the construction of certain bridges over the waters of Lake Champlain.

CLARINDA S. HILLMAN.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read:

To the Senate of the United States:

In compliance with a resolution of the Senate (the House concurring), I return herewith Senate bill No. 569, entitled "An act granting an increase of pension to Clarinda S. Hillman."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, February 6, 1899.

Mr. GALLINGER. I move that the bill and accompanying message be referred to the Committee on Pensions.

The VICE-PRESIDENT. It will be so ordered.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. ALDRICH. I move that the Senate proceed to the consideration of the joint resolution introduced this morning by the Senator from Louisiana [Mr. McENERY].

The VICE-PRESIDENT. The Senator from Rhode Island moves that the Senate proceed to the consideration of the joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands, introduced by the Senator from Louisiana [Mr. McENERY] this morning.

Mr. PLATT of Connecticut. Let the joint resolution be read.

The VICE-PRESIDENT. The joint resolution will be read for information before the motion is put.

The Secretary read as follows:

A joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States. But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

The VICE-PRESIDENT. Is there objection to the motion?

Mr. PETTUS. I move to amend the joint resolution by striking out the word "pending" before "treaty."

The VICE-PRESIDENT. The joint resolution is not yet before the Senate. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to the consideration of the joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands.

Mr. FRYE. It is necessary to make two or three amendments to the joint resolution.

Mr. COCKRELL. Let the joint resolution be read, and then amendments can be offered to it.

The joint resolution was again read.

Mr. HOAR. I move to amend the joint resolution by inserting, after the words "the inhabitants of said islands," the words "with the consent of the people thereof."

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from Massachusetts.

Mr. COCKRELL. Let the joint resolution be read, so as to show where the amendment is to be inserted. Let us see how it will read as proposed to be amended.

The VICE-PRESIDENT. The Secretary will read the joint resolution as it will be read when amended.

The SECRETARY. Insert after the word "islands" the words "with the consent of the people thereof;" so as to read, if amended:

That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands, with the consent of the people thereof—

Mr. GRAY. That is not the place where the amendment should be inserted.

Mr. HOAR. No; it is to establish a government with the consent of the people thereof.

The Secretary read as follows:

That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands—

Mr. HOAR. The words "said islands," where I move my amendment, occur in the sixth line from the bottom, so as to read "in said islands with the consent of the people thereof."

Mr. ALDRICH. I move to lay the amendment upon the table.

Mr. COCKRELL. The amendment has not yet been read. Let it be pending.

Mr. ALDRICH. Of course; I will let it be pending.

The SECRETARY. It is proposed to amend the joint resolution so as to read—

Mr. TELLER. I should like to hear what the amendment is. I do not want to vote for any declaration that we want to annex the islands, even with their consent.

Mr. CHILTON. That is my case. I think myself that the amendment will weaken the force of the joint resolution.

Mr. TELLER. I think so, too. I do not want to annex those people, even if they want to come in.

Mr. HOAR. The place where the Secretary paused is not the point where the amendment comes in. It is where it is declared that it is the purpose of the United States to establish upon said islands a government. I wish to have the attention of the Senator from Georgia [Mr. BACON]. I move to amend by inserting "with the consent of the people thereof," so that the government which we intend to establish shall be a government with the consent of the people thereof.

The VICE-PRESIDENT. The Secretary will now read the amendment as proposed in connection with the text.

The SECRETARY. If amended, the joint resolution will read:

Resolved by the Senate and House of Representatives, etc., That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States. But it is the intention of the United States to establish on said islands, with the consent of the people thereof, a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. HOAR. Mr. President—

Mr. ALDRICH. I renew my motion to lay the amendment on the table.

Mr. HOAR. Am I not entitled, under the custom of the Senate, to the floor on my amendment?

Mr. ALDRICH. I was recognized once and made the motion.

Mr. HOAR. I addressed the Chair on the amendment.

The VICE-PRESIDENT. The Senator from Massachusetts offered the amendment.

Mr. HOAR. And I desire to take the floor upon it.

Mr. ALDRICH. Then thereafter I was recognized by the Chair and made the motion. The suggestion was made that the amendment must be pending before it could be laid on the table.

Mr. CHANDLER. I hope the Senator from Rhode Island will withdraw the motion and allow the Senator from Massachusetts to proceed.

Mr. HOAR. The Senator from Rhode Island can take his own course about the matter.

Mr. ALDRICH. I have no objection to the Senator from Massachusetts explaining his amendment.

The VICE-PRESIDENT. The Senator from Rhode Island withdraws his motion to lay on the table, and the Senator from Massachusetts is recognized.

Mr. HOAR. Mr. President, I congratulate the Senate and I congratulate myself upon the changes of mind which have taken place. A good many Senators who have urged that we ought not to state in advance any purpose or policy of the people of the United States or of the Congress of the United States for the future have changed their minds, and they agree with me and with those who have opposed the treaty that this is a fitting occasion for a legislative declaration. If they had come to that conclusion a week ago, or three days ago, it would have saved much bloodshed and many precious lives. If it had been announced that it was not the purpose of the United States for its advantage to force upon those people a government against their will, but that in our dealing with them we stood upon our time-honored policy of self-government for every people everywhere, the deplorable occurrences of yesterday and the day before would, in my judgment, have been prevented. But better late than never.

If the joint resolution can now make a clear, unquestioned, unhesitating affirmation of the great American doctrine of self-government and the doctrine that no people are bound to submit or ought to submit to a government depending upon other men's understanding of their interests and not upon their own, certainly this transaction will not be attended with unmitigated evil, and it will be disarmed largely of the dangers which so many of us think it is full of for the Republic and for the future.

I hope that the amendment will be adopted, and on it I demand the yeas and nays. The amendment comes in where it is said that it is the intention of the United States to establish a government there at some time in the future. I desire to have the joint resolution declare that it is a government to be established by the consent of the governed.

Mr. ALDRICH. Mr. President, it is a sufficient answer to the statement made by the Senator from Massachusetts to say that if it had not been for objections on the part of the opponents of the treaty this resolution, or some resolution of equal terms, would have been adopted by the Senate three days ago. I now renew my motion to lay the amendment on the table.

The VICE-PRESIDENT. The Senator from Rhode Island [Mr. ALDRICH] moves to lay the amendment of the Senator from Massachusetts [Mr. HOAR] on the table.

Mr. HOAR. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE], which I transfer to the senior Senator from Indiana [Mr. TURPIE], and vote "nay."

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON]. If he were present, I should vote "nay."

Mr. SHOUP (when his name was called). I am paired with the senior Senator from California [Mr. WHITE]. I transfer that pair to the Senator from Utah [Mr. CANNON] and vote "yea."

The roll call having been concluded, the result was announced—yeas 45, nays 34; as follows:

YEAS—45.		
Aldrich,	Foraker,	McEnery,
Allison,	Frye,	McMillan,
Baker,	Gallinger,	Mantle,
Burrows,	Gear,	Morgan,
Carter,	Gray,	Nelson,
Chandler,	Hanna,	Penrose,
Clark,	Hansbrough,	Pettus,
Cullom,	Hawley,	Platt, Conn.
Davis,	Kenney,	Platt, N. Y.
Deboe,	Lindsay,	Pritchard,
Elkins,	Lodge,	Quay,
Fairbanks,	McBride,	Ross,

NAYS—34.			
Allen,	Daniel,	Martin,	Roach,
Bacon,	Gorman,	Mason,	Smith,
Bate,	Hale,	Mills,	Tillman,
Berry,	Harris,	Mitchell,	Turley,
Butler,	Heitfeld,	Money,	Turner,
Caffery,	Hoar,	Murphy,	Vest,
Chilton,	Jones, Ark.	Perkins,	Wellington.
Clay,	Jones, Nev.	Pettigrew,	
Cockrell,	McLaurin,	Rawlins,	

NOT VOTING—11.			
Cannon,	Mallory,	Sullivan,	White,
Faulkner,	Pasco,	Turpie,	Wilson.
Kyle,	Proctor,	Wetmore,	

So the motion to lay Mr. HOAR's amendment on the table was agreed to.

Mr. HOAR. I move to amend the resolution by inserting after the words "United States" the words "or to force a government upon them against their will."

Mr. ALDRICH, Mr. SPOONER, and others. That is the same thing.

Mr. CHANDLER. Will the Chair have the amendment stated from the desk?

Mr. ALDRICH. I move to lay the amendment of the Senator from Massachusetts on the table.

Mr. COCKRELL. I make the point of order that the amendment is not yet pending. Let it be stated from the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts [Mr. HOAR] will be stated.

The SECRETARY. It is proposed, after the words "United States," where they occur the second time in the joint resolution, to insert "or to force a government upon them against their will;" so as to read:

Resolved, etc. That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States or to force a government upon them against their will, etc.

Mr. ALDRICH. I move to lay the amendment of the Senator from Massachusetts on the table.

Mr. HOAR. On that motion I demand the yeas and nays.

The yeas and nays were ordered.

Mr. CLAY. I hope the Senator from Rhode Island will not insist on his motion to lay upon the table, but will let Senators vote directly on the amendment.

Mr. FRYE (to Mr. CLAY). Then you will have us here all evening.

Mr. ALDRICH. We will have a discussion which will go on forever.

The VICE-PRESIDENT. The yeas and nays have been ordered on the motion to lay the amendment on the table, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. MALLORY (when his name was called). I again announce a general pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. PASCO (when his name was called). I again announce my pair with the Senator from Washington [Mr. WILSON]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BACON. I simply again announce the transfer of my pair from the Senator from Rhode Island [Mr. WETMORE] to the Senator from Indiana [Mr. TURPIE], and I vote "nay."

The result was announced—yeas 46, nays 30; as follows:

YEAS—46.			
Aldrich,	Elkins,	Lodge,	Quay,
Allen,	Fairbanks,	McBride,	Ross,
Allison,	Foraker,	McEnery,	Sewell,
Baker,	Frye,	McMillan,	Simon,
Burrows,	Gallinger,	Mantle,	Spooner,
Butler,	Gear,	Morgan,	Stewart,
Carter,	Gray,	Nelson,	Teller,
Chandler,	Hanna,	Penrose,	Thurston,
Clark,	Hansbrough,	Pettus,	Warren,
Cullom,	Hawley,	Platt, Conn.	Wolcott.
Davis,	Kenney,	Platt, N. Y.	
Deboe,	Lindsay,	Pritchard,	

NAYS—30.			
Bacon,	Harris,	Mills,	Smith,
Bate,	Heitfeld,	Mitchell,	Tillman,
Berry,	Hoar,	Money,	Turley,
Caffery,	Jones, Ark.	Murphy,	Turner,
Clay,	Jones, Nev.	Perkins,	Vest,
Cockrell,	McLaurin,	Pettigrew,	Wellington.
Gorman,	Martin,	Rawlins,	
Hale,	Mason,	Roach,	

NOT VOTING—14.			
Cannon,	Kyle,	Shoup,	White,
Chilton,	Mallory,	Sullivan,	Wilson.
Daniel,	Pasco,	Turpie,	
Faulkner,	Proctor,	Wetmore,	

So the motion to lay Mr. HOAR's amendment on the table was agreed to.

Mr. ALDRICH. I move to amend the joint resolution by inserting the words "the Philippine" in place of the word "said" in the third line.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to amend in line 3 by striking out the word "said" before "islands" and inserting "the Philippine."

The VICE-PRESIDENT. Is there any objection to the amendment?

Mr. COCKRELL. Let us see how the resolution would then read.

The Secretary read as follows:

Resolved, etc., That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, etc.

The VICE-PRESIDENT. Is there any objection to the amendment?

Mr. PETTIGREW. Yes, Mr. President, I object to the amendment. If it included also Porto Rico I should have no objection to it; but I object to the annexation of either of these islands or any of them, and therefore I object to the amendment and ask for a vote upon it.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Rhode Island [Mr. ALDRICH].

The amendment was agreed to.

Mr. ALDRICH. I move to further amend by striking out the word "pending," in line 1, before the word "treaty."

Mr. GRAY and Mr. COCKRELL. How will it read then?

The SECRETARY. If amended as proposed, the joint resolution will read:

That by ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, etc.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Rhode Island [Mr. ALDRICH].

The amendment was agreed to.

Mr. BACON. I offer an amendment to the resolution, and ask that it be read by the Secretary, the amendment which I propose to come in as an additional resolve. I desire before the Senator from Rhode Island [Mr. ALDRICH] has the opportunity to move to lay the amendment on the table to be heard upon it after it shall have been read.

The VICE-PRESIDENT. The Senator from Georgia has the floor, and the amendment submitted by him will be stated.

The SECRETARY. It is proposed to add to the joint resolution the following:

Resolved further, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein entitled, in the judgment of the Government of the United States, to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

Mr. BACON. Mr. President, the great issue here may be stated under two heads: In the first place, that we do not intend unnecessarily to complicate ourselves with this distant territory either by way of annexation or by permanent control of any kind; the second proposition is, that we do not intend in anything which we do to deny those people the right of self-government.

I do not think, Mr. President, that the resolutions as they stand before the Senate with the amendments which have been offered by the Senator from Rhode Island [Mr. ALDRICH], accomplish either of those desired results. There is a statement that we do not intend to incorporate those islands as a part of the integral territory of the United States. That might be accepted as a satisfaction of a portion of the proposition, but it goes on to expressly provide, in an indefinite way, for the continued control of the islands for an indefinite time, and for the use of the power of this Government to erect a government which shall be suitable to the United States in those islands, regardless of the wish of the people of those islands.

The amendment offered by the Senator from Massachusetts [Mr. HOAR], which to a certain extent would have cured that defect, has been, by the motion of the Senator from Rhode Island to lay upon the table and by the action of the Senate thereupon, practically defeated.

I think the time has come, Mr. President, when Senators who have spoken to us within the past three weeks of what they were willing to do when this treaty was ratified should speak in no uncertain terms. This is not a moment which calls for indefinite language or which will be satisfied by uncertain terms. Senators upon the other side who have supported this treaty have in the weeks of debate which have passed asseverated most solemnly that they were opposed to annexation; that they were opposed to the continued control of those islands by the United States Government. Mr. President, I call upon them now to make those words good, and not by an indefinite and uncertain declaration, but by one which can not be misunderstood.

I am glad to see even a partial advance in this direction by some Senators who have not heretofore made this explicit declaration; but I am not satisfied with Senators who have stood here and said they were opposed to this policy and that after the treaty of peace was ratified they would join with us to see to it not only that there should be no permanent annexation of those islands, but that the affairs of this country should not be disturbed, that we should not be put to unnecessary expense of money, that we should not have to incur great loss of life by reason of an unnecessary and protracted connection between this Government and the complications in the Philippine Islands. I desire to have from those Senators now a more explicit declaration than is contained in this resolution.

Mr. President, I want to ask the Senate this question: If it be true that it is the purpose of this Government not to exercise permanent dominion in the Philippine Islands, ought we not to say so in the plainest of language? I want to ask the Senate this further question: If it be true that it is not the purpose of this Government to deny to the inhabitants of the Philippine Islands the right of self-government, ought we not to say so, and ought we, in ambiguous language, to leave this matter in uncertainty?

There is more reason than one why we should speak definitely to-day. The reasons which have existed in the past were sufficient to my mind in order that those of us who were called upon to vote on this treaty might know the particular ground upon which we would stand, but we are fronting a condition to-day across the sea which calls for language of no uncertain sound.

Mr. President, do we wish further effusion of blood? Is there a Senator here who doubts the fact that, now that this treaty is ratified, there will be a further effusion of blood in the Philippine Islands unless we solemnly declare in language which can not be misunderstood that we do not intend to enforce a government by arms upon an unwilling people?

There is nothing in this amendment which I have offered except that simple declaration, and if there is an absence of plainness in it I shall be glad for Senators to offer any amendment they wish which will correct it. All I want is that this declaration shall carry to our own people and to the Philippine Islands the assertion in language which can not be misunderstood, the assertion in language which will not call for construction, but in language so plain that it will construe itself, that we do not intend to permanently annex those islands and that we do not intend to deny to those people the right of self-government.

If there is anything in those resolutions excepting those two ideas, I am willing for the suggestion to be made for them to be modified so that they will be confined simply to those two elements. I wish simply that we shall declare two things—one, that we will not exercise permanent dominion in those islands, and the other that in the disposition or control of a temporary character which we shall make we do not propose to deny to those people practically the right of self-government.

Mr. President, I know, of course, that when I have finished the Senator from Rhode Island [Mr. ALDRICH] is going to move to lay the amendment upon the table. I presume, at least, from the course which has been pursued, that he will do so. I think the appeal of my colleague [Mr. CLAY] is a reasonable one. He has voted with the Senator from Rhode Island, and he desires to express himself, and I say he and others who stand in the same position desire to express themselves upon those resolutions, not by a vote to lay upon the table, but upon the merits directly, yes or no.

Of course, it would be bootless now to discuss the question as to what has been the cause of the effusion of blood which has already been had in the Philippine Islands. It is not bootless that we should attempt to-day to make such an utterance that there will not be further conflict in those islands. Does any man doubt, Mr. President, that if we were to adopt the resolution which is contained in this amendment, if we say to those people that we do not intend to retain them permanently, and if we say to them in the direction which shall be hereafter given there shall be an acknowledgment of their right to be heard, to be consulted, and that we will not deny to them the right of self-government, there would be an absolute cessation of hostilities in those islands?

It is for these reasons that I have offered the amendment, which I trust the Senate will adopt.

Mr. GRAY. Mr. President, since the matter of these resolutions in relation to the ratification of the treaty with Spain has been mooted I have always been willing to vote for resolutions such as those framed by the Senator from Louisiana [Mr. McENERY] and offered a while ago by the Senator from Rhode Island [Mr. ALDRICH]. I may be at some time in the future, if it come within my term in the Senate of the United States, willing to vote for a more explicit declaration, but I conceive that at the present time and in the present unhappy condition existing in those islands, as it comes to us across the sea in the news of yesterday and to-day, we have done our whole duty and have been true to ourselves, to the traditions of American liberty, and to all those

great maxims of American government which should animate and control the Senate of the United States and the Congress of the United States. The resolution as it now stands is as follows. Allow me to read it again:

Resolved, That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States, but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands and prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interest of the citizens of the United States and the inhabitants of said islands.

Mr. President, it seems to me that in the language just read we have accomplished everything that the Senator from Georgia could wish to accomplish without complicating the United States or committing the United States or its Government at this important juncture of affairs in those islands to a policy or to a course of conduct which might embarrass us and not profit them.

Mr. VEST. May I ask my friend the Senator from Delaware a question?

Mr. GRAY. Certainly.

Mr. VEST. Does not the resolution exclude the idea that all governments derive their just powers from the consent of the governed? Does it not assert that the people of the United States are to determine when the people of the Philippines are capable of self-government, and does not that destroy the idea that each people for themselves shall determine upon their own government?

Mr. GRAY. Mr. President, we went to war with Spain upon a declaration so well known that it need not be repeated. By the fortunes of war those distant islands have fallen into our hands. It is admitted on all sides and by nearly everyone who has been opposed to the ratification of the treaty that we must drive Spain out of the control of those islands, and necessarily we must take that control for the time being upon ourselves. An insurrection in those islands which had died down, which had almost entirely subsided, was again fanned into a flame by the presence of Admiral Dewey's fleet in Manila Bay in May last, and the valor of our sailors and our armies has made it possible for the first time in all the centuries that those islands have been known to the civilized world for their inhabitants to look hopefully forward to some measure of free, enlightened, and decent government.

We are now rightfully there. The treaty of peace with Spain has just been ratified, by which we are put in a position of actually helping those people to attain a degree of prosperity, order, and good government which a few months ago was not within the horoscope of the most enlightened people of those islands. Yet we are asked to go further than this resolution, so consistent with American ideas, so generous, so magnanimous, and to make a specific promise to rebels in arms against the United States, to men who day before yesterday were shooting American soldiers, to men who show so little of the qualities that ought to obtain in a people fit for self-government that while this treaty of peace was pending in the Senate they attacked the very forces that had come to their relief and made it possible for them ever to hope in the future, however distant, for a measure of self-government and of decent, orderly liberty governed by law.

Mr. President, people of that kind have no right to demand at this hour and at this moment a more explicit promise than we already make in this resolution as proposed by the Senator from Louisiana, if we shall adopt it. I am not in favor of going to those people upon our knees after we have liberated them from the thralldom of Spain, after we have not only driven out Spain, but are prepared to drive out anarchy and misrule in the islands, and given them a hopeful look into the future.

I am not in favor now of making any concessions to them while they are shooting down on their own soil Americans who have stood by them and have given them the hope for this great boon of liberty and of decent, orderly government there. I think we would stultify ourselves if we went further and made an explicit promise that we would do this or that at once or at any time fixed in the near future; that we would turn the islands over to them before the Congress of the United States, representing the people of the United States and the public opinion of the United States, said that it was for the best interest not only of the people of the Philippine Islands, but of the masses of the people of this great country of ours, that we should hand the government over to them.

I do not propose by my vote to surrender to Tagals whose guns are pointed at General Otis's army and whose cannon within thirty-six hours have destroyed life on the decks of American men-of-war. Let us wait a little until the smoke of this contest has passed away, until some measure of calm and some measure of decency obtain there and the leaders of the so-called rebellion or of the insurrection come to their senses and appreciate the condition in which they find themselves and the great boon that the Government of the United States has brought to them by its sacrifice of blood and treasure.

Mr. LINDSAY. Mr. President, it seems that those opposed to the ratification of the treaty rested their opposition upon the ground that the Filipinos were not put upon a footing equally as favorable as that we have conceded to the people of Cuba. Now, I submit whether if this resolution be adopted without amendment the Filipinos, so far as it is enforceable at all, will not have every pledge from the American Congress that the people of Cuba take under the treaty which we have just ratified? Reading the treaty of peace in connection with the resolutions adopted at the outbreak of the war with Spain, we find that we are to withdraw our troops from Cuba when a stable government shall have been established. We are to be the judges of when that stable government has been established. In carrying out that resolution in spirit and in carrying out the treaty in spirit the Cubans have no more been consulted by the United States than we propose by the resolution to consult the Filipinos.

If in Cuba we are to be the judge of when our troops shall be withdrawn because a stable government shall have been established there capable of maintaining peace in Cuba and discharging the international obligations which Cuba as an independent government will assume, why shall we not be the judge of the time when the Filipinos shall be entitled to free government, and why shall we not exercise the same agency in bringing about that stable government that we are to exercise in the island of Cuba?

Mr. BACON. If the Senator from Kentucky will permit me, the amendment which I have offered specifically prescribes that we shall do that very thing. It specifically says that, while we do not intend to exercise permanent dominion, control, jurisdiction, and sovereignty of the Philippine Islands, when there has been a stable and independent government established there to the satisfaction of the United States Government we will withdraw and leave them to the control of their own affairs. The exact thing as to which the Senator asks why it should not be is the thing which is, and the exact purpose which we have in reference to Cuba is the one that this amendment provides shall be the controlling purpose with reference to the Philippine Islands.

Mr. LINDSAY. The Senator from Georgia will pardon me. The point I make is that this resolution, if adopted by the two Houses of Congress and signed by the President, so far as it can commit the Federal Government, will commit the Federal Government to do for the Filipinos all that it is now under obligation to do for the Cuban people.

Why shall we make promises to the Filipinos, who are shooting down our soldiers to-day, which we did not make and have not made and have not been asked to make to the Cubans, who have been our friends all the while? We pledged ourselves not to maintain the military occupation of Cuba after a stable government shall be established. This resolution provides that when a stable government, such as is approved by the Government of the United States, shall have been established in the Philippines, like results shall follow those which are to follow in the island of Cuba.

Why should we make greater overtures to these people than we make to the people who have always been our friends and who have submitted to indignities at the hands of our soldiers without resentment? I do not see any reason why we should go further.

Mr. BACON. Is the Senator willing to go as far?

Mr. LINDSAY. I am willing.

Mr. BACON. Then change it in that way.

Mr. LINDSAY. But I maintain that the resolution goes as far as we have gone for Cuba, and it does not, in my opinion, comport with the dignity of the United States at this particular juncture to promise more to the Filipinos than we have promised to our neighbors, who lie almost at our feet.

Mr. CAFFERY. Mr. President, the resolution introduced by my colleague [Mr. McENERY] provides for nothing more than a protectorate coupled with sovereignty on the part of the United States over these islands, with the reservation to dispose of them just as the United States chooses. The first proposition is that it is not the intention of the United States to incorporate the people of the Philippine Islands into the Union or to annex the territory of the Philippine Islands as an integral part of our Union; and then follows—

But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them—

Not for self-government, but—

for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. President, we not only decline to incorporate these people, and thereby make them citizens of the United States, but we decline to do anything more than to establish a local self-government, and after that to dispose of the islands in any way we see proper. That gives us the power to alienate them, to sell them, to dispose of them in any manner, shape, or form that suits the prevailing majority in the Congress of the United States.

In other words, it is a despotic protectorate, without any guaranty of independent self-government whatever upon the part of

the United States toward these people. They are only to be educated up to what we are pleased to term local self-government, and in due time we are to make such disposition of them as will best promote, first, the interests of the citizens of the United States, and then the people of the Philippine Islands—our interests primary, paramount all the time, without any consideration whatever of the wishes of those people. Not a line of this amendment gives to those people any sort of authority or right or jurisdiction over their own affairs; but we fix it all; we prescribe what sort of a government is a local self-government, and then we hold the power and the jurisdiction to make an absolute alienation of it. We bought them, and now we propose to hold the power to sell them, according to the resolution.

Mr. President, a good deal has been said in regard to the ingratitude of these people. Sir, they are the most ungrateful people in the world, it appears. They are ungrateful because, in their humble ideas of self-government, they choose to array themselves in arms to achieve it. They were not so ungrateful when they were called upon as allies of the forces of the United States to wrest those islands from Spain. They were noble patriots when they were helping us to fight, and because, under the strained relations existing between those people and the United States, brought about by a proclamation to benevolently assimilate them, to swallow them, to annihilate them, an encounter takes place between the armed forces of the United States and the armed Filipinos, therefore it is that they are to be trampled under foot, they are to be called bloodthirsty cutthroats.

Every people upon earth have done the same thing. When the revolutionary rebels were told by Pittcairn to disband, they were cutthroats, and every people who dare assert their liberty, according to the doctrines we have heard on this floor, are cutthroats. It is an unhappy occurrence that the hot blood of these people rushed them into this conflict with the United States, but what were we to expect when we had brought about the conditions whereby these people in the first instance took up arms as an ally of the United States and afterwards had the hardihood to take up arms to assert their own independence?

I do not see that the blood that flowed yesterday lies entirely upon the heads of those people. I see, if any fault lies anywhere, that it is a joint fault, and lies as well at the doors of the United States as upon the heads of the Filipinos.

Mr. ALLEN. The Senator from Louisiana recognizes the fact, does he not, that hostilities were precipitated by the Filipinos?

Mr. CAFFERY. All that I see in the press is that certain Filipinos, I believe three in number, undertook to run our guard—

Mr. ALLEN. They had tried it before.

Mr. CAFFERY. And they were shot in pursuance of military discipline and law.

Mr. ALLEN. They had tried it a second time, as I understand.

Mr. SPOONER. The third time.

Mr. ALLEN. The third time.

Mr. CAFFERY. Very well. I say that on account of the relations that have existed between these people and the United States such occurrence, although deplorable, was likely to happen. We were there as conquerors. We did not bear the message of peace and kindness to these people. We bore the message of subjugation to those people.

Mr. ALLEN. We were there by right, by law—

Mr. CAFFERY. The fact is that we did not bear a message of peace to them.

Mr. ALLEN. That is a question.

Mr. CAFFERY. We bore a message of subjugation to them; and is it not in human nature, even in Filipino nature, to assert the rights of freemen?

Mr. ALLEN. I do not want to interrupt the Senator without his consent, and will not.

Mr. CAFFERY. I yield.

Mr. ALLEN. I beg to call his attention to the fact that our troops there were doing no more than occupying the zone that was surrendered to them by the Spanish Government. They were not aggressive; they were not hostile. Pending that situation, the question of the disposition of these islands was before Congress. Now, does the Senator see any fault in our repelling the assault of the Filipinos under such circumstances, and does the Senator believe it would be wise at this particular critical juncture of affairs to go any further than the resolution offered by his colleague?

Mr. CAFFERY. Mr. President, I have stated that in pursuance of military discipline it was necessary to maintain the guard. In answer to the other inquiry, I will state that I think it is eminently proper that the resolution be amended by the resolutions of the Senator from Georgia [Mr. BACON].

I reiterate his statement that now is the time to formulate in unmistakable terms the statements of Senators upon the other side who said they meditated nothing but the ultimate independence of these people; and those resolutions fitly and properly express that idea. I can see no objection whatever to incorporating

the amendment of the Senator from Georgia into the resolution of my colleague.

Mr. CHANDLER. I should like to have the Senator from Louisiana inform me and the Senate what makes him think any Senator upon this floor has called the Filipinos cutthroats, or has used any but the kindest language toward them. The Senator has made that statement. It seems to me it ought not to go uncontradicted. These people are misguided and have been led into hostilities with the United States troops, but nothing unkind has been said about them on the floor of the Senate to my knowledge, and why does the Senator undertake to put us in the attitude of calling them cutthroats when it is a mistaken assertion?

Mr. CAFFERY. I stand corrected as to the term. I do not know anybody who applied that term to them.

Mr. CHANDLER. Why does the Senator aggravate the existing situation by translating the feelings and views of Senators, whatever they may be, into the opprobrious term "cutthroats," to be used as an excuse for their fighting against the armies of the United States?

Mr. CAFFERY. I am entirely responsible for my language, and I have not a word of apology to make for my language. That was the sentiment expressed in vigorous language, not in terms—

Mr. CHANDLER. What was it?

Mr. CAFFERY. I do not choose to be catechised in this sort of style.

Mr. CHANDLER. Will the Senator yield to me for a moment?

Mr. CAFFERY. I do not.

Mr. CHANDLER. All right.

Mr. CAFFERY. I do not yield now. I answered the Senator's question, and I do not propose to be catechised with such interruptions.

Mr. CHANDLER. I should like to ask the Senator one more question, if he will allow me.

Mr. CAFFERY. I decline to yield.

The VICE-PRESIDENT. The Senator from Louisiana will proceed.

Mr. CAFFERY. Mr. President, to answer substantially the question, the fault of this unhappy occurrence, if any fault there is, is not entirely at the door of those people. It springs out of our attitude there, and I say that our attitude there from the very commencement was a false attitude.

Against whom did we wage war, Mr. President? Against the Kingdom of Spain. When we sunk the Spanish fleet in Manila Harbor and broke the power of Spain to do us any harm or injury, why did we remain there, I want to know? What purpose could it effect after the destruction of the Spanish power or authority? Her navy was gone. Her troops were penned up in Manila. They were beleaguered on the land side by the natives, and our fleet held the water. How could they have hurt us? The fatal error lay in maintaining our fleet in those waters. After that was done and those people were called in as allies, and after we had effected, through their aid, the virtual destruction of the Spanish army, I should like to know how it is that those people, who were then our allies, should, because in a moment of exasperation and anger they were guilty of the folly of assailing the United States troops, be now treated in the manner in which it is proposed to treat them.

As a matter of course, after the ratification of this treaty the armies of the United States, at whatever cost, at whatever hazard, must maintain and secure the jurisdiction of the United States plenary and full over every inch of those islands. What I am discussing is not the obligation of the United States now to assume full military control of those islands, but the obligation of the United States to declare its policy now; the obligation of the United States to put in language unmistakable the principle of self government which all Senators, or nearly all, say they are willing to accord to those people.

Some Senators did not know when these people would be capable of self-government, no time was fixed; but the principle was asserted and the principle was advocated that no one, not one of the proponents or advocates of the treaty, desired any other than a future self-government for those people. That is what I want to see incorporated into this resolution. The resolution gives the United States in the future complete control over those islands, and I want to see that these people, as far as we can by declaration secure it, have the right at some future time, which of course would be indefinite, to establish a government of their own.

Mr. GRAY. Will the Senator allow me, before he takes his seat? I wish to make the remark in his hearing. The forces of the United States have been holding the city, bay, and harbor of Manila by virtue of the armistice or truce, as it is sometimes called, that was the result of the protocol of August 12 last. They have been there ever since as loyal, highly disciplined soldiers of this great country, maintaining its honor and maintaining the reputation of its arms. They have committed no outrage upon anybody.

We are still technically at war with Spain, against whom the Filipinos have been struggling and against whom they profess to

be rebelling, and we are there as their allies. Yet, pending the treaty of peace which was to end that war and make hopeful the beginning of a new future for those people, they had the hardihood to attack their allies and kill and wound something like 170 of them, if the news that comes over the wires is to be relied upon. But what are we to think of those people to whom we are asked to make still more specific promises than are contained in the McEnery resolution and who were kept out of Manila because they demanded the right to come in upon the capitulation and loot the city?

Mr. CAFFERY. I know nothing about the demand of the Filipinos to loot the city of Manila. I take that as the Senator states it. But the Filipinos have acted perhaps foolishly and wrongly—

Mr. GRAY. Only perhaps?

Mr. CAFFERY. In attempting to run our guards. But, Mr. President, behind all that was the proclamation of the President of the United States to take those people in without the right of self-government and to benevolently assimilate them, that assimilation to be after the manner of the anaconda that swallows its victim.

Mr. HOAR. I should like to ask the Senator from Louisiana a question, and I should like to know what is the answer of the Senator from Delaware to it also.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Louisiana yield to the Senator from Massachusetts?

Mr. CAFFERY. Certainly.

Mr. HOAR. Do not the people of the Philippine Islands hold the rest of the island except the small territory occupied by us by a right as good as that by which we hold Manila?

Mr. CAFFERY. I think so; by the right of armed occupation.

Mr. HOAR. And a further right, besides armed occupation, growing out of the fact that it is their country and nobody's else.

Mr. CAFFERY. We have heard a great deal about the technical war between Spain and the United States, and that these people are technically rebels. Mr. President, those terms do not obscure the fact. These people were our friends, they were our allies, and if by reason of acts upon our part they have turned to be our enemies are they so much to be blamed? They are struggling for independence such as they conceive their independence ought to be. I see nothing but human nature, I see nothing but the aspiration of a people to be free, in this military occupancy upon the part of the Filipinos of their own home, of their own land, fighting for their own vine and fig tree, fighting for their firesides and hearths. We are strangers upon that soil, Mr. President. We say that we are not conquerors. Are we not doing the acts of conquerors? And are not our acts belying our words?

Mr. SPOONER. What acts?

Mr. CAFFERY. In taking forced control and military jurisdiction over those people who claim their independence. It is a matter of force, Mr. President.

Mr. GALLINGER. We have not done it.

Mr. GRAY. Force was used to drive out Spain.

Mr. CAFFERY. If it had not been for the Filipinos, perhaps you would not have had a Manila City now.

Mr. TELLER and Mr. GALLINGER. Nonsense.

Mr. CULLOM. It is worse than nonsense.

Mr. CAFFERY. Everything is nonsense that does not suit the views of gentlemen who want to gobble up the Philippines.

Mr. TELLER. I should like to say to the Senator, if he will give me leave to say it, that our officer in command declared that they rendered no substantial aid to us at all. General Merritt said so.

Mr. CAFFERY. The evidence is both ways on that point. It is stated, I believe, by General Otis that they are much better soldiers and much more entitled to independence than the Cubans.

Mr. BACON. I wish to suggest, with the permission of the Senator from Louisiana, that the services they rendered were rendered before General Merritt got to the islands. So he knew nothing about it except from what Commodore Dewey said.

Mr. TELLER. If the Senator will let me interrupt him, I will say that that was a mistake. They rendered no practical service whatever, and when the city of Manila was taken they took no part in it except to stand by and look on.

Mr. CAFFERY. Well, Mr. President—

Mr. TELLER. That is the report of our officers.

Mr. CAFFERY. I do not think these resolutions amount to anything more than giving the United States a free hand in control, without any regard to any self-government or any other government upon the part of the Filipinos of an independent nature to do as they please.

Mr. GALLINGER. It is just what we ought to have.

Mr. CAFFERY. If we ought to have it, then the declarations that we go there with the intent to civilize, Christianize, and elevate them, and fit them for self-government are belied.

I shall offer, at the proper time, if the amendments of the Senator from Georgia are defeated, an amendment looking toward some security for self-government upon the part of the Filipinos.

Mr. SPOONER. Mr. President, I shall take but a moment. I sincerely hope the amendment offered by the Senator from Georgia will be voted down.

The Senator from Louisiana [Mr. CAFFERY] says that if the resolution offered by his colleague is adopted, it must be upon the theory that we have acquired and own the Philippine Archipelago. That is the theory, Mr. President, upon which the treaty has been ratified. There could by no possibility be any other theory. Spain could not cede the Philippine Archipelago to us, exacted from her at the end of a war triumphant upon our part, except upon the theory on our part that she owned it and that by her cession we acquired it.

There ought to be no attempt now, Mr. President, to mystify or obscure that situation. We go forward from to-day upon the theory that by this treaty and the acceptance of this session the United States has succeeded to the title of Spain and the sovereignty of Spain over the Philippine Archipelago.

The Senate has voted down, or rather laid upon the table, the proposition which attempted to make it a practical condition of its cession, and our acceptance of it that we ask the consent of the people of those islands.

Something has been said by the Senator from Georgia [Mr. BACON] about the effusion of blood at Manila being in defense of the right of self-government, being by way of resistance, says my friend from Louisiana [Mr. CAFFERY], whom I respect and admire, of invasion.

Nothing, Mr. President, can be further from the fact than the suggestion that any blood has been shed at Manila in defense of the right of self-government or in resistance of invasion.

Mr. BACON. Mr. President—

Mr. SPOONER. There is no man who can maintain anywhere the proposition that this Government is not of right, under the rules of war and international law, in possession of Manila.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. SPOONER. Certainly.

Mr. BACON. The Senator from Wisconsin certainly did not listen to what I said.

Mr. SPOONER. I was referring last to what the Senator from Louisiana said.

Mr. BACON. The Senator distinctly said I had said that blood had been shed in Manila in defense of the right of self-government.

Mr. SPOONER. Very well. Did not the Senator say so?

Mr. BACON. I did not say anything of the kind.

Mr. SPOONER. Then I withdraw the reference. There was confusion in the Chamber.

Mr. BACON. The RECORD will not show that I said it.

Mr. SPOONER. I withdraw the reference to the Senator from Georgia and transfer it without any cession to my friend from Louisiana.

Mr. BACON. That is another matter.

Mr. SPOONER. I misunderstood the Senator from Georgia. I thought he said that.

Mr. BACON. No, sir.

Mr. SPOONER. I rather think he will find when he looks at his remarks that he did.

Mr. BACON. I deny it.

Mr. SPOONER. But that is no matter. I say that no person can gainsay our right to occupy Manila. We are in Manila today not simply because we captured the city by force of arms, and we are there by agreement with Spain under the protocol.

Does anyone claim here that the insurgents ever controlled Manila? When we went into Manila with our troops Spain with her forces went out of Manila. Whatever may be said about this mystical government which somewhere outside of Manila is alleged to have a capital, no man can deny that the insurgents never had any claim to power or sovereignty in that city.

It is said that Aguinaldo and his associates helped us to capture Manila. I do not stop to discuss the question whether that is true or not, or if true how far it is true. It is quite certain they did not help our Navy to destroy the fleet of Spain; and if they did help us to capture Manila, it only intensifies the wantonness and the willfulness of their present attitude. We are there, the Senator says, by their assistance. We are there by right. We had not moved our troops beyond the limits implied or indicated by the protocol. We were there purely upon the defensive, and this attack upon the American Army in Manila is, as I said before, as wanton, as willful, as gross a violation of every principle of right and of every rule of law as ever was known in the history of war.

Now, Mr. President, I do not know what motive led to that attack. That it was premeditated and general no man, so far as I know now, can dispute. It is said—

Mr. HOAR. Or can affirm.

Mr. SPOONER. No; can affirm or dispute. I will take that back. From the information we now have I affirm that it was premeditated and wanton, and I believe solely with reference to its effect or possible effect upon the action of the Senate in ratifying or acting upon the treaty.

It is said, and I do not know who is at liberty to deny it, that three Philippine soldiers sought, moving swiftly, to pass the American sentinel. They were challenged and retired. They tried it again and were challenged and retired. They tried it again and got what they sought, Mr. President, a shot from the American Army, and a cause, from the standpoint of the Filipinos, for a general attack on the American troops in Manila.

It is my own belief that the instigation of it all came from the city of Washington. It is my own belief that the ulterior purpose of it all was an effect or supposed effect upon the action of this body. It is very significant. Some men may be able to explain it. I have not been able upon any other hypothesis.

Yesterday morning, Mr. President, until a cablegram was received from Manila neither the President nor anyone in this country had the least suspicion, so far as I know, of any purpose over there to attack Manila, to attack our outposts, to bring on an engagement with our troops. Saturday night, many hours before we learned of the attack at Manila, Agoncillo and his associate, who have been spending some time in the city of Washington, whom our Departments have properly refused to recognize, "folded their tents like the Arabs, and silently stole away" to Canada. Someone may be able to find some satisfactory explanation of that consistent with the theory that Agoncillo did not know of this proposed attack, but I have not been able to do so.

No, Mr. President, we have a right to be in Manila. If the treaty had been rejected, we would have had a right to be in Manila as against the Filipinos. We are not in Manila as an enemy of the Filipinos. We are there succeeding, first by capture, although in violation of the armistice, afterwards by agreement with Spain, to hold that place pending this treaty.

Mr. President, the joint resolution introduced by the Senator from Louisiana is not offered upon the theory of a pledge to the Filipinos. If it is voted for in the Senate, it will not be voted for upon the theory that it is a pledge by this Government to the Filipinos. It is offered and will be voted upon, upon the theory that it is in the interest of our people, and we are here to study and to subserve their interest first, Mr. President, first, always.

Having accepted this treaty, we go there claiming sovereignty; we go there claiming a title; we go there upon the theory that we have a right to go there, and we must go there, if we go at all, in a manly way, with the power of this Government and this people behind us.

I am not in favor of complicating this situation. It is no time to do it, Mr. President, by public pledges to the Filipinos. We will do our way with the Filipinos. No man can reasonably doubt that we will be just to them. But, Mr. President, to be here pottering over technicalities, pottering over resolutions, sending messages across that distant sea to that misguided and, perhaps, half-civilized people, messages liable to mislead them, messages liable, indeed calculated, to handicap this Government, to put it in a false position, to give weakness hereafter to the arm of the Executive, is, it seems to me, neither patriotic nor wise.

The treaty has been ratified. Every Senator has taken his position upon it. I criticize no man for his view upon it, but I do say, Mr. President, that while our boys over there, your brothers and mine, are fighting for life against a wanton and willful attack upon the part of the Filipinos, it is not for us to send messages of comfort to their enemies.

The Senator from Louisiana refers to the language of the President in a proclamation, "benevolent assimilation." I do not know whether assimilation is possible. If it be possible, it will be benevolent. No man has a right to criticize the President for using that language. We were among a people there who did not know us and with whom we were not familiar.

It was the duty of our Commander in Chief, clothed, Mr. President, in war with all the power which war gives under international law, to hold out the olive branch to that people. It was his duty, and he wisely exercised it by a proclamation, to indicate to them that our purpose was not an unfriendly or a hostile or a selfish purpose so far as they are concerned. Perhaps Senators here might have chosen happier language. I find nothing, however, in the language which the President used which ought here to be criticised.

We must move ahead. I repeat, Mr. President, if a resolution is to be adopted here declaring that it is not the policy of the United States to maintain permanent dominion in that archipelago it is not to conciliate the people over there; it is not as a pledge to them; it is not as a prayer by the United States Senate to them to stop firing on our men. It is in the interest of our people; it is to subserve what Senators think is the policy of our people, and nothing else.

I give no pledges, Mr. President, to any man with a revolver at my breast. This Government can not afford, and no Senator can ask it, to give a pledge to that people indefinite in its terms, however right it may be as a matter of abstract right, while they are training their guns, partly furnished by us, on American soldiers and seeking their destruction.

I am not in favor, as I stated the other day, of the permanent dominion of the United States in the Philippine Archipelago, but I hope that we will move forward upon the undisputed basis now, for it is adjudicated here that we have derived title to that archipelago; that we have won it from Spain in war, whether you call it conquest or indemnity; that we are from this time out the titular sovereign of those islands, and that we have under our Constitution the power to do there what we will within the limitations which all of the people of the United States recognize and which none of the people of the United States will ever permit to be transcended.

I see nothing in such debate here, Mr. President, but mischief. I can not forbear the utterance, for I believe it, that much of the trouble, much of the bloodshed which has come to our men on the other side of the Pacific is due to the presence here of an emissary from that people and to utterances which have been made here in the Capitol of this Republic. I wish that all of our debate upon this subject had been in secret session instead of in the open, where the contention of every Senator, however honestly and eloquently made, could not have been cabled to a people over yonder to be misunderstood by them, incapable in their experience of government of understanding it. Let us not continue this mistake.

I would not vote for the joint resolution introduced by the Senator from Louisiana but for the peculiar situation here. If absolutely free, I would not vote for it, because I believe that in our present circumstances (we can not bind the Government anyway) Congress ought not to declare what shall or shall not be done. Such a declaration is calculated to make us great trouble among a people whom we do not know, who do not know us, very far from the boundaries of our continent.

This resolution offered by the Senator from Louisiana [Mr. McENERY], as was justly said by the Senator from Kentucky [Mr. LINDSAY], does not differ much from that adopted by us as to Cuba. We will establish a government there. It is declared here that it is not our policy to make that territory permanently an integral part of this country. What more can be asked? What more can we safely say at this time?

I have spoken longer than I intended, Mr. President.

Mr. HOAR. May I ask the Senator a question?

Mr. SPOONER. Of course.

Mr. HOAR. I wish to ask the Senator a question as to the meaning of the resolution. Does the Senator understand that the phraseology that we do not propose to make the Philippines a permanent and integral part of the United States is intended to mean that we do not mean to keep the islands forever under the dominion of the United States, or only to mean that the persons there shall not have the right either of being erected into States or be given the constitutional rights of citizens in ordinary Territories? That is, is this resolution intended as a limitation or an exclusion of the Filipinos, after this is consummated, from any possible constitutional rights whatever, or is it intended as a declaration that we do not mean to keep them permanently under our dominion? I should like to have the Senator answer that.

Mr. SPOONER. I think, as I said the other day, so far as their rights are concerned, they are fixed, and properly fixed, under the Constitution by the treaty; and I think the rights, as fixed by the treaty, so far as civil and political rights are concerned, remain as fixed by the treaty until Congress shall change them. I understand this to be a general declaration of the policy of the United States that it is not intended to permanently incorporate those islands as an integral part of the territory of the United States. The resolution reads:

But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. HOAR. Does my honorable friend understand that there is anything in these resolutions which prevents our governing and controlling those people for all national purposes—not speaking of local self-government like we have in the District of Columbia, or had formerly, but for all national purposes—forever if we think it is for our interest to do it?

Mr. SPOONER. Mr. President, it is not my function to expound this resolution. It has not yet been adopted, and it speaks for itself.

Mr. HOAR. But I think, if the Senator will pardon me, that in determining whether we shall vote for it the opinion of so eminent a constitutional lawyer as the Senator, who is a most zealous advocate of the views he has just stated, is very important to the

rest of us, and it will be very important to the country hereafter to know what we have done. *Contemporanea expositio est fortissima in lege.*

Mr. SPOONER. It takes more than one man out of ninety to make a contemporaneous exposition of anything. My opinion, while I would be perfectly willing to give it to the Senator, would only be my opinion after all. I have no doubt nor can the Senator have any doubt that if we find the people over there after a while capable of self-government this Government will accord to them self-government.

Mr. HOAR. I do not know about saying that I have no doubt of it, but I want to know whether the Senator finds in that resolution anything inconsistent with our retaining permanent control there?

Mr. SPOONER. No, Mr. President, I do not find in that resolution any such thing; and if I did, I would not vote for anything which would prevent the United States from holding the decision of that proposition in its own power. It is not for the Filipinos to decide, under the circumstances, when they have a government which they think or a condition which they think qualifies them for self-government, but it is for us to decide under this resolution when they have a government or a condition which we think entitles them to self-government.

Mr. HOAR. I hate to interrupt the Senator, and I will endeavor not to do it again, but I do not quite get his attention to the point. It is not whether we are to decide that question alone. What I want to know is whether, supposing the people of the United States hereafter think those people are fitted for self-government, for independent national existence, and they want it, there is anything in the resolution which prevents the people of the United States from saying, "It is for our interest that you shall not have it, and we will not give it to you?"

Mr. SPOONER. I have a very clear opinion upon that subject.

Mr. HOAR. If the Senator will give me that, I should like it.

Mr. SPOONER. I will, privately.

Mr. HOAR. Oh!

Mr. SPOONER. I will send no message, so far as I am concerned, across the sea to the Filipinos, who have their guns trained on American soldiers.

Mr. GRAY. That is right.

Mr. HOAR. Is not this resolution which you pass a message to the Filipinos? What I want to understand is this: You are declaring your constitutional purposes and your sense of constitutional duty to somebody, whether to the Filipinos or to your own people, to mankind—no matter to whom.

Now, my inquiry is whether, in making that declaration, for whatever purpose or reason you make it, if you believe that these men may hereafter be fit for self-government, for independent national existence, you wish to say you will then let them enjoy it, or whether there is anything in this resolution which prevents you, if you think it is for your interest, without regard to them, to deny it to them?

Now, my honorable friend, who is making a public declaration of his opinions and purposes, is willing to vote for what is in that resolution: but he says, if I understand him, that as to that which is the essential part of the whole thing he is only going to give his opinion upon it in private.

Mr. SPOONER. I will say, Mr. President, that the resolution speaks for itself. I do not know of any man in the United States who is better able to understand it than the Senator from Massachusetts. I do not know any man in the United States who is in less need of any opinion from me as to its proper construction than the Senator from Massachusetts. I do understand it to reserve to this Government the determination of the question whether a condition has arisen over there which will entitle that people to self-government. The resolution is elastic, and if it were less so it ought unanimously to be voted down. I do not like to vote for any declaration upon the subject. I have said all I care to say about it.

Mr. BACON. Mr. President, when I was upon the floor some hour or so ago I said that it was bootless to inquire what had been the cause of the effusion of blood in Manila. In that sentence I waived any contention as to whether those who had occupied the side of the question upon which I have been aligned were in any manner responsible by reason of what had been said, and I also waived it as to the other side; but now the distinguished Senator from Wisconsin [Mr. SPOONER] directly charges that the effusion of blood in Manila has been due to what has been said upon this floor by those of us who were opposed to the treaty. The Senator from Wisconsin shakes his head. Of course I am ready to be corrected, but that is the way I understood him. If the Senator says he did not say it, I will not pursue the line upon which I was going; but it does seem to me, according to my recollection, that that was in substance what the Senator said. If I am in error, I shall be very glad if the Senator will correct me before I proceed further.

Mr. SPOONER. I do not undertake to repeat precisely what I

said; but I will precisely say now that, in my judgment, in the condition of affairs over in the Philippine Archipelago, the debate in the Senate has had a tendency to bring about what has recently happened at Manila.

Mr. BACON. Well, Mr. President—

Mr. SPOONER. That is only my opinion.

Mr. BACON. That does not go so far as I had attributed to the Senator.

Mr. SPOONER. That is as far, I think, as I have gone.

Mr. BACON. Of course, we all understand from the side the Senator occupies in this debate which are the particular utterances which he thinks were productive of such an unfortunate result. I want to say two things in reply. In the first place, if I were to sit silent, and all others were to sit silent who had occupied the positions we have, it might be to some extent an admission of the possibility of the correctness of the Senator's conclusion; and as that issue is raised, I desire to say that, in my opinion, it is impossible that the advocacy of those opinions which would impose nothing upon the Philippine Islands and upon the Filipinos could have resulted in stirring up hostility among them, and that the utterances on this floor which were calculated to stir up hostility, whether they did so or not, were the utterances which advocated the imposition upon those people of a government to which they were not willing to submit.

I want to say further, Mr. President, that the utterances upon this floor by those who were opposed to the treaty were almost entirely confined to the question as to whether or not annexation was the proper thing. Nine-tenths of all that has been said in the various speeches was taken up in the advocacy of the proposition that it was not to our interest to annex those islands. In that connection I desire to say that of all the speeches which were made here there was no one which more eloquently portrayed the evil of the annexation of those islands than that which fell from the lips of the learned and distinguished Senator from Wisconsin, and if time permitted I should like to read a page or two from his speech. So, if the suggestion of the Senator carries anything with it, he invites condemnation upon himself as well as fastens it upon others.

I quite agree with the Senator from Wisconsin that the main consideration here for us is, What is to the interest of our own people? I have understood the Senator from Wisconsin to be extreme in the proposition, to stand in the front rank of those who believe that it is utterly against the interests of the people of America that we should have any annexation of the Philippine Islands, or that we should remain for a long time in control of them, and yet I am sorry to see this afternoon among the foremost of those who are now advocating that which will result in it is the distinguished Senator from Wisconsin.

Mr. SPOONER. Mr. President, the Senator certainly is mistaken. I think I know—possibly I am wrong about it—that the acceptance of cession is annexation; and I spoke against permanent dominion of the United States in the Philippine Archipelago. I favored the ratification of the treaty.

Mr. BACON. Let me read the Senator a sentence or two from his speech, and possibly he will recognize it. In the speech to which I have alluded—and it was certainly a very learned and able and eloquent speech, one which excited pride in the breasts of all of us that it should have been delivered by a Senator of the United States—the learned Senator used this language. I can read only a very little of it. I read from page 1581 of the CONGRESSIONAL RECORD:

Every argument which has been made in support of this doctrine of territorial expansion—and by "territorial expansion" I mean permanent territorial expansion—seems to me to be superficial, some of them sentimental, and some of them fantastic.

The jingle of words which we read every day about "hauling down the flag" does not in the least either thrill me or impress me. Our flag has been hauled down before, Mr. President. It will be hauled down again.

If there was anything uttered in this debate which was calculated—if the suggestion of the Senator is correct, that the utterances here were so calculated—to excite that people to hostile action, it was the suggestion of the Senator from Wisconsin that the flag of the United States might be hauled down. Of course I know what the Senator meant, but the Senator was speaking about things which were inspired from Washington; and when the Senator standing in his place here spoke and advocated the hauling down of the flag at Manila, he certainly gave as much encouragement to hostile action as was given by any utterance of any other Senator. He said further:

We have been growing rapidly in our trade without territorial expansion. To acquire distant, nonassimilable peoples in order, through permanent dominion, to force our trade upon them seems to me to be the poorest imaginable national policy. How far will that be carried? We want the trade of the world, and we intend to have our share of it. Are we, therefore, to obtain it by carrying this doctrine of expansion to the uttermost parts of the earth? If territorial expansion means national trade, if it be necessary to national trade, where are we to stop?

I fully and entirely agree with the Senator in all that suggestion and in all that part of his speech, and I do not criticise it; but I do

say that if the suggestion made by him that the discussion here was calculated to excite hostility over there, so far as it related to opposition to expansion, the Senator has his full share of the responsibility.

Mr. President, one other word. The Senator knows the vantage ground on which he stands, and none is quicker to take advantage of it than he when he appeals to the pride of nationality and speaks of the fact that the amendments which are offered here are in the interest of the Filipinos, who have guns pointed at the breasts of our soldiers. I wish simply to remind the Senator of one thing, and that is, that throughout this discussion the contention of those who have stood with him has been that the armed forces of the Filipinos in the Philippine Islands constitute but an insignificant fraction, an almost imperceptible element in those islands.

The amendments which we have offered have not been in the interest of that particular very small fraction, but have been in the interest of the 8,000,000 or 10,000,000 people of all of those islands; and it is not consistent with the suggestion which they have made as to the small number of those who are opposed to the control of the American Government to now reply, whenever anything is said in favor of the rights of those people to self-government, that no concession should be made to them, because, forsooth, they have guns pointed at the breasts of our own soldiers.

I quite agree with the Senator from Wisconsin that if it were true that those people constituted the population of the entire islands we could say nothing in their favor until this condition of war had been superseded by peace; but when they constitute, as it is said here, an insignificant, insurrectionary fraction of the population, amounting to nothing more than a mere band of outlaws, their hostility to this Government is no reason why all rights should be denied to the 10,000,000 people of those islands.

I do not desire, Mr. President, to detain the Senate longer.

Mr. TILLMAN obtained the floor.

Mr. WARREN. Will the Senator from South Carolina yield to me a moment?

Mr. TILLMAN. With pleasure.

Mr. WARREN. Thanking the Senator for his courtesy, I wish to have read, and a record made thereof, a telegram from the legislature of Wyoming sent through the governor of that State to me.

The VICE-PRESIDENT. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

CHEYENNE, WYO., February 6, 1899.

Hon. F. E. WARREN:

The legislature this day, by unanimous vote, has passed resolution urging you to use all honorable means to secure the immediate ratification of the treaty with Spain, and request me to wire their action to you. Enrolled resolution will follow by mail.

DE FOREST RICHARDS, Governor.

Mr. TILLMAN. Mr. President, if this matter can be postponed and a date agreed upon by the Senate, or some time fixed when this resolution may come up again, I will now yield the floor; otherwise I should like to go on.

Mr. ALDRICH. Can not we agree to fix a time to take a vote on the pending resolution and amendments? I would suggest that we take a vote on the resolution and amendments at 2 o'clock to-morrow.

Several SENATORS. Take it now.

Mr. ALDRICH. Well, take it now.

Mr. BACON. No; the Senator from South Carolina [Mr. TILLMAN] has the floor.

Mr. ALLISON. I hope the resolution can be concluded this evening.

Mr. TILLMAN. I have agreed to yield the floor if the resolution shall go over, so that I may have the floor when it is again taken up. As to a vote, I do not care about that after I get through. [Laughter.]

Mr. ALDRICH. I suggest that we agree to vote at 2 o'clock to-morrow.

Mr. WOLCOTT. I hope there will not be any more unanimous-consent agreements asked for about resolutions relating to the treaty. I feel disposed to object to any such suggestion that may be made.

Mr. JONES of Arkansas. I agree with the Senator from Colorado.

Mr. WOLCOTT. I am tired of unanimous-consent agreements.

Mr. ALLISON. I desire to give notice that to-morrow I shall ask the Senate to consider the Indian appropriation bill.

The VICE-PRESIDENT. The Senator from South Carolina [Mr. TILLMAN] has the floor.

Mr. ELKINS. I move that the Senate adjourn.

Mr. TILLMAN. You can not take me off the floor to make that motion.

Mr. ELKINS. I thought the Senator wanted an adjournment.

Mr. TILLMAN. I do; but I want to have an understanding,

when this resolution comes up again, that I shall have the right to speak on it.

The VICE-PRESIDENT. The Senator from South Carolina has the right to speak on it now.

Mr. PASCO. The resolution comes up to-morrow at 2 o'clock as the unfinished business, and the Senator can then proceed with his speech. It has displaced the previous unfinished business.

Mr. CULLOM. There is an order of unfinished business already pending.

Mr. PASCO. The resolution which has been under consideration was taken up by a vote of the Senate.

Mr. CULLOM. I understood the anti-scalping bill was to remain as the unfinished business.

Mr. JONES of Arkansas. There is no such understanding.

Mr. HOAR. I rise to a parliamentary inquiry, Mr. President.

The VICE-PRESIDENT. The Senator from Massachusetts rises to a parliamentary inquiry, which he will state.

Mr. HOAR. I desire to ask the Chair if the pending resolution did not displace the unfinished business when it was taken up by a vote of the Senate without any reservation? Does not the resolution, therefore, come up at 2 o'clock to-morrow? I ask further, that being the case, whether a simple majority vote of the Senate can not at any time displace it and put back the other order as the unfinished business?

The VICE-PRESIDENT. The Chair understands the parliamentary situation to be that the pending resolution, when it goes over to-day, takes its place upon the Calendar. The unfinished business is the bill laid aside to-day by unanimous consent.

Mr. HOAR. I wish to call the attention of the Chair to the precise proposition. This was not a resolution taken up in the morning hour, to which what the Chair said would be applicable and true; but it was taken up after 4 o'clock by an ordinary vote to proceed to its consideration, just as if it had been the Nicaragua Canal bill or any other bill. That, as I claim, displaces the unfinished business and makes the resolution the unfinished business at 2 o'clock to-morrow. I make the point with great respect to the Chair.

The VICE-PRESIDENT. The Chair reminds the Senator from Massachusetts that the resolution which has been under discussion was introduced to-day, and is really under a unanimous-consent agreement. It was taken up by a vote of the Senate, it is true.

Mr. HOAR. But was not introduced in the morning hour or under the morning business. The Senate voted to proceed to its consideration.

The VICE-PRESIDENT. In the opinion of the Chair, the resolution is in the same condition as other morning business.

Mr. CHANDLER. I should like to say a word. There has been an understanding with reference to the bill against ticket brokerage that it should not be accidentally displaced, and that if it were accidentally displaced it should be again restored. If it were deliberately displaced by a vote of the Senate, that would be another thing. That has been the understanding all along between the Senator from Illinois [Mr. CULLOM] and myself, in order to avoid the necessity of keeping watch all the time upon that bill.

Mr. HOAR. Is that your understanding?

Mr. CHANDLER. Yes.

Mr. HOAR. I never heard of it.

Mr. CULLOM. There was a general understanding that the anti-scalping bill should not be displaced by any question connected with the treaty; and that has been stated in open Senate time and again.

Mr. CHANDLER. Or accidentally displaced at all.

Mr. CULLOM. So, as the Vice-President has stated, there was no occasion for any concern about it, because the unanimous-consent arrangement would keep it as the unfinished business.

Mr. HOAR. I withdraw the point of order on that statement. I was not aware and had never heard of that arrangement. It probably was made while I was not here.

Mr. TILLMAN. I have been asked by a good many Senators to put off the debate until another time, when we will be less tired and under less mental strain and excitement than we are now. I therefore give notice that I will call up the joint resolution in the morning, immediately after the conclusion of the morning business, and will submit a few remarks thereon.

Mr. ALDRICH. I give notice that I will endeavor to have the joint resolution disposed of during the morning hour.

INDIAN APPROPRIATION BILL.

Mr. ALLISON. I desire to give notice that at an early hour to-morrow I shall call up the Indian appropriation bill.

TICKET BROKERAGE.

Mr. CULLOM. I ask the Chair to lay before the Senate the unfinished business.

The VICE-PRESIDENT. The Chair lays before the Senate the unfinished business, which will be stated by title.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 34 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 7, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 6, 1899.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Third Lieut. Randolph Ridgely, jr., of Georgia, to be a second lieutenant in the Revenue-Cutter Service of the United States, to succeed John L. Davis, removed.

Cyrus B. Fengar, of Connecticut, to be a third lieutenant in the Revenue-Cutter Service of the United States, to succeed Randolph Ridgely, jr., promoted.

INDIAN AGENT.

Alonzo A. Armstrong, of Phoenix, Ariz., to be agent for the Indians of Fort Apache Agency, in Arizona, vice Charles D. Keyes, deceased.

TO BE ASSISTANT SURGEON WITH THE RANK OF FIRST LIEUTENANT.

William Jephtha Calvert, of Kentucky, January 30, 1899, vice Birmingham, promoted.

PROMOTIONS IN THE MARINE CORPS.

Capt. Francis H. Harrington, to be a major in the Marine Corps, from the 10th day of August, 1898, vice Maj. Robert L. Meade, promoted.

First Lieut. Charles H. Lauchheimer, to be a captain in the Marine Corps, from the 10th day of August, 1898, vice Capt. Francis H. Harrington, promoted.

Second Lieut. John H. Russell, to be a first lieutenant in the Marine Corps, from the 10th day of August, 1898, vice Lieut. Charles H. Lauchheimer, promoted.

First Lieut. Henry C. Haines, to be a captain in the Marine Corps, from the 11th day of August, 1898, vice Capt. James M. T. Young, promoted and retired.

Second Lieut. Thomas S. Borden, to be a first lieutenant in the Marine Corps, from the 11th day of August, 1898 (subject to the examinations required by law), vice First Lieut. Henry C. Haines, promoted.

First Lieut. George Barnett, to be a captain in the Marine Corps, from the 11th day of August, 1898, vice Capt. Erastus R. Robinson, promoted and retired.

Second Lieut. John T. Myers, to be a first lieutenant in the Marine Corps, from the 11th day of August, 1898 (subject to the examinations required by law), vice First Lieut. George Barnett, promoted.

WITHDRAWALS.

Executive nominations withdrawn February 6, 1899.

Maj. Henry H. Humphreys, Twelfth Infantry, for appointment as lieutenant-colonel by brevet in the Army of the United States, and nominate him for appointment as colonel by brevet in the Army of the United States for gallantry in battle, El Caney, Cuba, July 1, 1898. (The brevet rank of lieutenant-colonel was conferred on Major Humphreys March 2, 1867.)

Thomas Jephtha Calvert for appointment as assistant surgeon, United States Army, with the rank of first lieutenant.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 6, 1899.

COLLECTOR OF CUSTOMS.

Thomas B. George, of Florida, to be collector of customs for the district of St. Augustine, in the State of Florida.

POSTMASTERS.

John M. Jolley, to be postmaster at Daytona, in the county of Volusia and State of Florida.

John H. Hibbard, to be postmaster at De Land, in the county of Volusia and State of Florida.

Gus A. McLane, to be postmaster at Lewisburg, in the county of Marshall and State of Tennessee.

William McManis, to be postmaster at Baird, in the county of Callahan and State of Texas.

Thomas J. Mitchell, to be postmaster at Port Tampa, in the county of Hillsboro and State of Florida.

Victor F. Huntley, to be postmaster at Manton, in the county of Wexford and State of Michigan.

Roland Franklin, to be postmaster at Clio, in the county of Genesee and State of Michigan.

Edgar B. Babcock, to be postmaster at Kalkaska, in the county of Kalkaska and State of Michigan.

James P. Hutcheson, to be postmaster at Owenton, in the county of Owen and State of Kentucky.

Laura V. Herd, to be postmaster at Middlesboro, in the county of Bell and State of Kentucky.

Fred J. Mauren, to be postmaster at Portland, in the county of Ionia and State of Michigan.

Charles S. Collier, to be postmaster at Frankfort, in the county of Benzie and State of Michigan.

Lizzie Vaupel, to be postmaster at Morganfield, in the county of Union and State of Kentucky.

John S. Miller, to be postmaster at Greenville, in the county of Muhlenburg and State of Kentucky.

HOUSE OF REPRESENTATIVES.

MONDAY, February 6, 1899.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of Saturday's proceedings was read and approved.

RECALL OF A BILL.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution, in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill of the Senate No. 569, granting an increase of pension to Clarinda S. Hillman.

The SPEAKER. The Chair will submit for the concurrence of the House the resolution just received from the Senate.

The resolution was taken up, read, and agreed to.

ADMISSION OF COSTA RICAN STUDENT TO NAVAL ACADEMY.

Mr. HILBORN. I ask unanimous consent for the immediate consideration of the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (S. R. 218) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Ricardo Yglesias, of Costa Rica.

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Navy be, and he is hereby is, authorized to permit Ricardo Yglesias, of Costa Rica, to receive instruction at the Naval Academy, at Annapolis: Provided, That no expense shall be caused to the United States thereby: And provided further, That in the case of the said Ricardo Yglesias the Secretary of the Navy may modify or dispense with any provisions of the rules and regulations of the said Academy which circumstances may, in his opinion, render necessary or desirable.

Mr. HILBORN. Mr. Speaker, the representative of the Government of Costa Rica has made on behalf of his Government the request with which this resolution proposes compliance, and the Secretary of the Navy recommends that the joint resolution be passed.

There being no objection, the House proceeded to consider the joint resolution; which was read three times, and passed.

ADMISSION OF STUDENT FROM COLOMBIA TO NAVAL ACADEMY.

Mr. HILBORN. There is another resolution of similar character to the one just passed, and I ask its immediate consideration.

The Clerk read the resolution, as follows:

Joint resolution (S. R. 219) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Alberto Valenzuela Montoya, of Colombia.

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Navy be, and he is hereby, authorized to receive for instruction at the Naval Academy, Annapolis, Alberto Valenzuela Montoya, of Colombia: Provided, That no expense shall thereby accrue to the United States: And provided further, That the Secretary of the Navy may, in the case of the said Montoya, modify or dispense with any provisions of the rules and regulations of the said Academy which circumstances may, in his opinion, render necessary or desirable.

Mr. BAILEY. Mr. Speaker, I suggest to the gentleman from California [Mr. HILBORN] that it seems to me, without any special knowledge on the subject, not to be a wise procedure on the part of our Government to allow almost every other government the privilege of educating young men of their nation at our Academy, thus familiarizing them with our ships and our methods. It is to be hoped that we shall never have a misunderstanding, much less a collision, with our neighbors to the south of us, but if we should, almost every one of those South American countries will have in its service men who have been educated at our Military or Naval Academy and who will be familiar with the secrets, if secrets there be, of our modes of warfare.

Mr. HILBORN. Mr. Speaker, this is a privilege which we have

frequently granted heretofore, and it would attract attention if we should now refuse the request which has been made on behalf of this South American Government by its representative.

Mr. BAILEY. I simply desired to know whether the committee had taken into consideration the view of the case which I have suggested. It may be that there are no secrets that these students at the Military and Naval Academies learn; I am not informed as to that. But if there are special facts that come to the knowledge of students there, it is not wise to communicate them to people of foreign nations. I realize that it might now seem like an act of discourtesy—

Mr. HILBORN. That is it.

Mr. BAILEY (continuing). To refuse this request when similar requests have been granted. But does not the gentleman realize that when we have permitted young men from two or three foreign nations to enjoy this privilege it becomes an act of discourtesy to deny it to anybody? So that as the result of this policy we must ultimately have at our Naval and Military Academies young men from almost every nation on earth educated there in a knowledge of our secrets.

Mr. HILBORN. I do not think that the students—

Mr. GAINES. Will the gentleman allow me a question?

Mr. HILBORN. Certainly.

Mr. GAINES. If we admit this young man as an act of courtesy, must we not, as the gentleman from Texas has well said, admit young men from every other nation that may make a similar request? Does the gentleman from California believe that that would be desirable or wise?

Mr. HILBORN. Oh, well, we have always done this whenever a request of this kind has been made; and I do not think we are likely to carry the thing to any dangerous extent.

Mr. GAINES. If we have always done wrong that is no reason why we should continue to do so. I object to any such bill.

Mr. HILBORN. I hope the gentleman will not insist on the objection.

Mr. GAINES. Well, I withdraw my objection in this case; but I give notice now that hereafter I shall not consent to teaching foreigners in our military schools in order, in effect, that they may know better how to fight us in the future.

Mr. HILBORN. I do not think the representatives of Colombia will be dangerous.

Mr. GAINES. We have permitted one man to obtain a patent for armor plate, and he has gone off and sold it to foreigners, and they have used it on their war ships, and they have thereby become better fighters. Such a thing is a disgraceful act and an outrage; and I think no loyal American would do it. [Applause.]

There being no objection, the House proceeded to consider the joint resolution: which was read three times, and passed.

Mr. HILBORN. I move to reconsider the votes by which these two joint resolutions have been passed, and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INDEBTEDNESS ALBUQUERQUE, N. MEX.

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read, as follows:

Be it enacted, etc., That the city of Albuquerque, in the county of Bernalillo and Territory of New Mexico, is hereby authorized and empowered to issue bonds of the said city in a sum not to exceed \$65,000 in all, in such denominations and at such rate of interest as the municipal government of said city shall provide, notwithstanding the act of Congress approved July 30, 1886, entitled "An act to prohibit the passage of local or special laws in the Territories of the United States, to limit Territorial indebtedness, and for other purposes." And any and all bonds of the said city issued in pursuance of the terms of this act shall be valid and binding obligations of said city, notwithstanding the same or any part thereof may be in excess of the limit of municipal indebtedness fixed by said act of Congress approved July 30, 1886.

SEC. 2. That this act shall take effect from and after its passage.

The Committee on the Territories recommend the adoption of the following amendment:

In line 6, page 2, after the word "six," insert the following proviso: "Provided, That the bonds issued by virtue of this act shall be issued only for the purpose of funding the warrants of said city outstanding on the 1st day of January, 1898. Such bonds shall not be disposed of for less than their par value, and shall not bear a greater rate of interest than 6 per cent per annum."

Mr. COX. Before consent is given—

The SPEAKER. Is there objection to the present consideration?

Mr. COX. I was desirous, Mr. Speaker, of making inquiry of the gentleman before consent is given.

Mr. PAYNE. Reserving the right to object, I desire to ask the gentleman a question.

Mr. COX. It was my purpose to reserve the right.

Mr. PAYNE. What is the limit to which the city can issue bonds at this time?

Mr. FERGUSON. Sixty-five thousand dollars is the total amount authorized by the pending bill.

Mr. PAYNE. But this is an authorization beyond the limit of the present law, as I understand the bill. Now, what is the law, and what is the outstanding indebtedness?

Mr. PERKINS. Four per cent on the assessed valuation of the property in the city. And this originated in this manner—if the gentleman from New York will permit me:

The shrinkage in the value of the assessments caught the city with many of its warrants outstanding, and for which provision is here made as to their payment. That is to say, warrants for the expenses of the water service, the fire department, and other branches of the city government. Under the provisions of an act of the legislative assembly, which is now the law of the Territory, all the floating indebtedness was required to be refunded in interest-bearing bonds of the city, and prohibiting any expenditure or the issuance of any bonds beyond the actual current income of the city; so that the city was caught on the 1st day of January, 1898, with this floating indebtedness of about \$65,000, which could not be paid except from the current revenues of the city; and, as I have said, the shrinkage in values prevented its payment in this manner.

It is a just debt and ought to be paid. The Committee on Territories exhaustively went into the matter, examined carefully every question connected with it, held it under advisement for a long time, and finally recommended the adoption of the bill which I have just asked to have passed.

Mr. PAYNE. How much is 4 per cent on the present liability of the city?

Mr. FERGUSON. I have not the amount at hand.

Mr. PAYNE. To what extent is the city bonded?

Mr. FERGUSON. Only up to 4 per cent of the value of the assessment.

Mr. PAYNE. But how much does that involve?

Mr. FERGUSON. I do not remember exactly. The report, however, sets out the whole amount.

Mr. PAYNE. Do you know what the percentage is on the assessed valuation of the property?

Mr. FERGUSON. I do not. But there is no provision except by an act of Congress for meeting this liability now.

Mr. BAILEY. The debt was already incurred, I will say to the gentleman from New York. This limitation was placed on the issue of warrants on the 1st day of January, 1898, the legislature having prohibited the payment in any other way after the debt was incurred.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BAILEY, a motion to reconsider the last vote was laid on the table.

AMENDMENT TO THE CONSTITUTION.

Mr. GROW. Mr. Speaker, I ask unanimous consent of the House to introduce the resolution I send to the desk.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of both Houses concurring), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid, to all intents and purposes, as a part of said Constitution, namely: "The President, as Commander in Chief of the Army and the Navy of the United States, shall have power to negotiate treaties of peace in order to terminate hostilities in any war in which the United States may be engaged: Provided, That a majority of the Senators present ratify such treaty."

Mr. GROW. I ask unanimous consent of the House for one minute before moving to refer the resolution to the appropriate committee.

Mr. BLAND. Mr. Speaker, I do not understand what this is. Is it a motion to suspend the rules, or a request for unanimous consent for the consideration of the resolution?

The SPEAKER. The gentleman asks unanimous consent to address the House on the resolution.

Mr. GROW. For about a minute only.

The SPEAKER. The Chair hears no objection to the request of the gentleman from Pennsylvania.

Mr. GROW. Mr. Speaker, it is a singular provision in our Constitution that a majority can make war, but can not make peace. This simply provides that a majority may do that. I move the reference of this resolution to the Committee on the Judiciary.

The SPEAKER. The gentleman asks unanimous consent that the resolution be referred to the Committee on the Judiciary. Without objection, that reference will be made.

There was no objection.

JAMES AND EMMA S. CAMERON.

Mr. GROSVENOR. I move to suspend the rules and pass the bill (S. 1478) for the relief of James and Emma S. Cameron for occupation of property and for fuel taken and used by the United States Army during the war.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay the sum of \$10,000, out of any moneys in the Treasury not otherwise appropriated, to Emma S. Cameron, in full satisfaction and payment for occupation of her separate property and for fuel taken therefrom and used by Gen. W. S. Rosecrans's army while at Chattanooga, Tenn., from September, 1863, until the close of the war, and which amount of \$10,000 was found due by a special commission appointed by Major-General Rosecrans to adjust claims against the United States on full proof and investigation of the facts.

Mr. GROSVENOR. I ask for the reading of the report.

Mr. BAILEY. Mr. Speaker, I demand a second.

The SPEAKER. A second is demanded.

Mr. GROSVENOR. Will the gentleman waive that right until the report is read?

Mr. BAILEY. I demand it, but I am willing that a second shall be considered as ordered.

Mr. GROSVENOR. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Ohio asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. GROSVENOR. Now, if the Clerk will read the report—

Mr. BAILEY. I want to ask the gentleman from Ohio if this is one of the bills included in what is known as the omnibus claim bill, that is now pending in conference?

Mr. GROSVENOR. I do not know whether that is the case or not. I have no personal interest in this bill, but it is a bill that has been reported favorably in every Congress here since the Forty-second, and I think if the gentleman will listen to the reading of the report he will not object to the consideration of the bill.

Mr. BAILEY. My question was intended merely to meet this: I do not think that any of those bills included in that general bill ought to be taken out of it. I think they all ought to pass or fall alike.

Mr. GROSVENOR. I think when my friend hears this report he will feel that this one ought to be passed anyhow, under any circumstances. I ask for the reading of the report.

Mr. COX. Mr. Speaker—

The SPEAKER. One moment. The House will be in order. Gentlemen should recollect that there is an unusual attendance of Members, Members-elect, and ex-Members, and that on that account there is a considerable addition to the usual noise, which is of itself sufficient ordinarily to prevent the transaction of business. [Laughter.] And if gentlemen will have the kindness to bear this in mind, and to mitigate, each one of them, what they are doing in that respect, we may be able to understand what is going on. Otherwise we can not.

Mr. COX. I desire, Mr. Speaker, to know if that claim has ever been passed upon by the Court of Claims or ever been allowed by the Quartermaster-General?

The SPEAKER. The gentleman from Ohio at present has the floor, and is having the report read in his time.

Mr. GROSVENOR. The reading of the report will answer all these questions.

The SPEAKER. The Clerk will read the report.

The report (by Mr. WEAVER) was read, as follows:

The Committee on War Claims, to whom was referred the bill (S. 1478) for the relief of James and Emma S. Cameron, submit the following report:

The facts out of which this bill for relief arises will be found stated in Senate report from the Committee on Claims of the present Congress, a copy of which is hereto appended as a part of this report.

Your committee recommend the passage of the bill.

[Senate Report No. 80, Fifty-fifth Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 1478) for the relief of James and Emma S. Cameron, having had the same under consideration, submit the following report:

This claim has been reported favorably upon by the Senate Committee on Claims in the Forty-second, Forty-third, Fifty-first, Fifty-second, and Fifty-fourth Congresses, and a bill passed the Senate in the Forty-third, Fifty-first, and Fifty-second Congresses.

The claim has also been reported favorably to the House in the Fifty-first, Fifty-second, Fifty-third, and Fifty-fourth Congresses.

A copy of the Senate report, Fifty-second Congress, is hereto attached and made a part of this report.

Your committee recommend that the bill pass.

[Senate Report No. 155, Fifty-second Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 634) to authorize and direct the Secretary of War to investigate the claim made for fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as Cameron Hill, and to provide for the payment thereof, having had the same under consideration, make the following report:

The same claim, but in the form of a bill to pay Emma S. Cameron for property taken and used by the Army of the United States during the late war, was favorably reported by the Committee on Claims of the Senate of the Forty-second Congress, and passed the Senate, but was not acted on in the House.

It was also reported upon favorably by the same committee of the Senate

of the Forty-third Congress. It was also acted upon in like manner by this committee in the Fifty-first Congress, but amended in the Senate to take substantially the form of the bill as now presented, and so passed the Senate. In each of said reports the allowance recommended was \$10,000, and a like allowance was recommended by the Committee on War Claims of the House in the first session of the Fifty-first Congress.

James Cameron and Emma S. Cameron were before and during the late war of the rebellion the owners of a homestead in the suburbs of the city of Chattanooga, Tenn., known as Cameron Hill, containing about 37 acres, the same having been paid for out of the patrimony of Mrs. Cameron. The location was a beautiful and a commanding one. About 34 acres of this land were thickly covered with a forest of large oak trees. Two and a half acres were highly cultivated to orchard and grape. The dwelling house, studio, small house, barn, outbuildings, fences, and improvements were in a good state of repair. This property was occupied as a residence by Mr. Cameron and his wife at the time of the breaking out of the war. In September, 1863, the Union Army, under command of General Rosecrans, entered the city of Chattanooga and took possession of this property and made such use of the premises as the commander thought for the best interests of the Army.

The trees, including orchard, were cut down and mostly used by the troops for fuel; the same use was made of the fences and outhouses and all the structures except the residence.

The proofs show that this was absolutely necessary, as the weather was extremely cold and there was no other available supply of fuel. The proofs make it further apparent that, for the purpose of maintaining its position at Chattanooga, the Army was compelled to further permanently injure and disfigure said premises by the erection of earthworks upon them, and that the residence—a commodious one, built of concrete—and the premises were occupied and used by our troops until the close of the war.

The loyalty of Mr. Cameron and his wife was so marked, and their cheerful sacrifices for the aid and comfort of the Union soldiers so frequent and constant, as to attract the attention and secure the good will of the commanding and many subordinate officers of our Army.

By Special Field Order, No. 6, Major-General Rosecrans appointed a commission to adjust claims against the United States.

Mr. Cameron and his wife filed claim before this commission for the destruction of the buildings, fences, timber, orchards, and other injuries done this property and for the use and occupation of it by the Union troops.

Upon the proofs taken at the time a finding was made in their favor of \$200,000. Numerous affidavits and documents attest the loyalty of Mr. and Mrs. Cameron and the facts of fences, buildings, and timber being consumed by the Federal Army for fuel.

Among the documents submitted to the committee in support of this claim is the following letter from Maj. Gen. U. S. Grant, commanding the armies of the United States, addressed to Mrs. Cameron:

HEADQUARTERS ARMIES OF THE UNITED STATES.

City Point, Va., August 9, 1864.

MY DEAR MADAM: Your letter of the 8th of July was duly received, but not so promptly answered. I know yours to be a case where prompt payment should be made, and am willing to indorse your claim. I believe that your property at Chattanooga has been appraised by a board of officers. If so, send me the proceedings of the board and I will make my indorsement and return them to you. If you have no such evidence of the claim, inform me and I will order a board to assess it and will indorse the proceedings. This will be the first step toward a collection.

Yours, truly,

U. S. GRANT.

Mrs. CAMERON.

And also the following indorsement, made by General Grant upon the statement of the claim as made to commission under Field Order, No. 6:

HEADQUARTERS ARMIES OF THE UNITED STATES.

City Point, Va., October 25, 1864.

I know the property within described, and the parties owning it, well. Mr. Cameron and his wife have been unflinching friends of the Government from the beginning of our troubles to the present day. There are no more thoroughly loyal people anywhere in the North, and they are entitled to protection and pay for their property converted to Government use. What is now known as Fort Cameron, Chattanooga, was the private property of Mr. Cameron. From its elevated and commanding position it had to be taken and fortified. By this means the entire property, with improvements, has been entirely destroyed for private use. I would recommend that the property be purchased at a fair valuation for Government use.

U. S. GRANT, General.

The committee recommend that the bill pass, with the amendment that the allowance made and paid shall not exceed \$10,000, and that such amendment be made by adding the following to the end thereof:

"Provided, That no greater amount than \$10,000 shall be allowed or paid to such person or persons."

Mr. GROSVENOR. Mr. Speaker, I think the reading of that report is all the information necessary for the guidance of the House. There are a great many gentlemen here who know what the condition of Cameron Hill was at Chattanooga, and how valuable it was, almost in the heart of that city, with its splendid orchards and fine groves of timber. In the course of the preparation of that hill for defense, on account of its strategic importance, the timber was all taken away. There is not a tree on it to-day.

Mr. STEELE. I will ask the gentleman if it is not a fact that not only were the trees all cut down, but that the stumps were cut down and the roots dug up?

Mr. GROSVENOR. Everything of a wooden character was extirpated. The surface of the hill was transformed into battlements, and it served a very important purpose to the Union Army. Now, I do not know any of the family personally, but I am informed that the claimant to be benefited is an old lady somewhere in the neighborhood of 70, as I understand it, reduced from affluence to poverty. The loyalty of these people is asserted by General Grant. The value of the property taken was estimated at \$20,000 by a board ordered by General Rosecrans.

This bill has been reported by every Congress since the Forty-second, and is now cut down to the sum of \$10,000. I can answer any questions gentlemen may desire to ask.

Mr. HENDERSON. How much does the bill carry?

Mr. GROSVENOR. Ten thousand dollars.

Mr. HENDERSON. How much land was there taken?

Mr. GROSVENOR. The whole of the land.

Mr. HENDERSON. What was this property taken for?
Mr. GROSVENOR. It was taken for the purposes of firewood and timber.

Mr. HENDERSON. Is this for timber only?
Mr. GROSVENOR. No; this is the statement made. I will read it again.

Mr. HENDERSON. I did not hear the report.

Mr. GROSVENOR (reading)—

The location was a beautiful and a commanding one. About 34 acres of this land were thickly covered with a forest of large oak trees. Two and a half acres were highly cultivated to orchard and grape. The dwelling house, studio, small house, barn, outbuildings, fences, and improvements were in a good state of repair. This property was occupied as a residence by Mr. Cameron and his wife at the time of the breaking out of the war. In September, 1863, the Union Army, under command of General Rosecrans, entered the city of Chattanooga and took possession of this property and made such use of the premises as the commander thought for the best interests of the Army. The trees, including orchard, were cut down and mostly used by the troops for fuel; the same use was made of the fences and outhouses and all the structures except the residence.

The proofs show that this was absolutely necessary, as the weather was extremely cold and there was no other available supply of fuel. The proofs make it further apparent that, for the purpose of maintaining its position at Chattanooga, the Army was compelled to further permanently injure and disfigure said premises by the erection of earthworks upon them, and that the residence—a commodious one, built of concrete—and the premises were occupied and used by our troops until the close of the war.

The loyalty of Mr. Cameron and his wife was so marked, and their cheerful sacrifices for the aid and comfort of the Union soldiers so frequent and constant, as to attract the attention and secure the good will of the commanding and many subordinate officers of our Army.

Mr. DALZELL. I would like to renew the question asked by the gentleman from Texas [Mr. BAILEY]. Is this now in the omnibus bill?

Mr. GROSVENOR. I can now inform the gentleman that it is not.

Mr. DALZELL. I would like to ask the gentleman why not?

Mr. GROSVENOR. The report shows that the claim has always stood upon the report of the commission appointed by the general commanding.

Mr. CANNON. I notice that this bill is for the benefit of Mrs. Cameron. I notice also that the report shows that the property was Mr. Cameron's.

Mr. GROSVENOR. He is dead.

Mr. CANNON. I will ask the gentleman whether by proceedings before the Quartermaster-General's Department this claim was not adjudicated and paid?

Mr. GROSVENOR. It was never before the Quartermaster-General's Department.

Mr. CANNON. Why?

Mr. GROSVENOR. Because it stood, as I say, always upon what seemed to be a better condition—the report of the board of commissioners appointed by General Rosecrans.

Mr. CANNON. Well, that reports for two hundred thousand.

Mr. GROSVENOR. That is a mistake. It should be twenty thousand. I have corrected it.

Mr. CANNON. Does the gentleman speak of his own personal knowledge of this property?

Mr. GROSVENOR. I speak absolutely from my own knowledge, and there are a score or more gentlemen on this floor who will sustain me in what I have said.

Mr. CANNON. Does the gentleman speak of his own knowledge when he says that the timber has not been paid for?

Mr. GROSVENOR. I do.

Mr. CANNON (continuing). By proceedings before the Quartermaster-General or otherwise?

Mr. GROSVENOR. I do; and state further that if the House will pass this bill, before it shall be signed by the President I will see to it that an official statement in that regard shall reach him.

Mr. CANNON. Well, but the gentleman ought to be able to say.

Mr. GROSVENOR. I do say, without qualification, that not one dollar was ever paid for that property.

Mr. CANNON. If the gentleman has examined—

Mr. GROSVENOR. I have examined, and I have the statement of a very skillful attorney who has also examined; and I have done this whole thing because of my sympathy for the people living in Tennessee [laughter on the Democratic side] and because I know myself the facts alleged in this report.

Mr. CANNON. I am only asking the gentleman a question, because I should very much doubt whether \$10,000 worth of oak timber could be cut off 34 acres of land.

Mr. GROSVENOR. But the gentleman has not quite covered the ground. Some of you gentlemen know all about this whole matter. Now, we used the whole of the property. There were 34 acres of fine oak, besides the orchard and grapes, and a large house and other buildings. There are a score of gentlemen on the floor who know all about this property. Every vestige of civilization was swept off the top of that hill except the mansion house, which our officers occupied.

Mr. CANNON. General Grant has stated that he would recommend that the property be purchased at a fair valuation for Government use. Was this property there worth \$300 an acre?

Mr. GROSVENOR. It was worth more than a thousand dollars an acre.

Mr. CANNON. It is still there.

Mr. GROSVENOR. It is still there, and desolate.

Mr. CANNON. What is it now worth?

Mr. GROSVENOR. It is the hill, which many gentlemen will remember, on which we planted the flag, when the Confederate flag was pulled down and the Union flag was carried up, in the presence of Frank Cheatham, General Gordon, and others in the great reunion of Federals and Confederates at Chattanooga.

Mr. CANNON. I am quite willing for this \$10,000 to be paid to this old lady; I am quite willing that it shall be a gift; but let it be understood that you pay for the place, but not for the felling of the timber. If you are going to pay for felling timber you are going to get into claims for damages to real estate; and I do think myself, taking that view of it, that they should put this claim upon this ground.

Now, I am quite content, on the gentleman's showing, to so amend this bill, if he thinks it ought to be done, as to absolutely pay this lady \$10,000—well, by gift, on account of the loyalty of her people, and on account of the circumstances; but when you undertake to pay for the value of timber and supplies, \$10,000 for 34 acres of oak timber, it establishes a precedent that in my judgment ought not to be established.

Mr. GROSVENOR. My friend does not read the report nor listen to me. We took the entire property and despoiled it for our use. It was in fine condition, and we swept all that timber away and built forts. The gentlemen on that side are familiar with the great fortifications on Cameron Hill.

Mr. CANNON. I would like to ask my friend from Ohio if, among all the great battlefields where forts were constructed, Congress at any time has entered upon a policy of paying damages done to the realty?

Mr. DOCKERY. I would like to suggest that this is a precedent, unless my memory is at fault.

Mr. GROSVENOR. There is not a single element of it in this, and the gentleman from Missouri is mistaken. The trees of the orchard were cut down and hauled away by the troops for fuel, and the same was true of the fences and the outhouses and all the structures, except the mansion itself. The proof shows that this was absolutely necessary.

Mr. Cameron and his wife filed claims before the commission for the destruction of the buildings, the taking of the fences, timber, orchards, etc., and that investigation, made by order of General Rosecrans, was made on full knowledge of the kind of people they were, and there was an allowance of \$30,000 made. It has stood from that time down to this day, until the family is impoverished and all but this lady is dead. Mr. Speaker, I have said all I can say.

Mr. LLOYD. Mr. Speaker, I desire to ask the gentleman from Ohio if he has an estimate of the various items allowed, showing their value?

Mr. GROSVENOR. I have not, but I stand on the record made by the report of that commission.

Mr. LLOYD. Was there any appraisement by any board of appraisers?

Mr. GROSVENOR. There was.

Mr. LLOYD. Has the gentleman that appraisal?

Mr. GROSVENOR. It was made by a military commission appointed by General Rosecrans, but what became of their records nobody knows. The ordinary course of things was to have a board to estimate the value, and they estimated the value of the property at \$20,000.

Mr. LLOYD. Was there any evidence before the War Department as to the value of the timber taken?

Mr. GROSVENOR. Most assuredly there must have been. These officers constituting this board were there on the ground, and had knowledge of the facts themselves.

Mr. LLOYD. Have not claims of this kind ordinarily gone before the Court of Claims for adjudication?

Mr. GROSVENOR. There was never any claim made except before this commission. General Grant came into full knowledge of all the facts after the report of the Rosecrans board, and recommended the payment of the sum asked for, and this bill has stood upon that foundation ever since.

Mr. CANNON. All that General Grant recommended was that the Government purchase the Cameron property.

Mr. GROSVENOR. That was during the war.

Mr. CANNON. During 1864.

Mr. GROSVENOR. That was during the war, and at that time they were building the fortifications on the hill.

The SPEAKER. The time of the gentleman from Ohio has expired. The gentleman from Texas [Mr. BAILEY] has control of the time in opposition.

Mr. BAILEY. Mr. Speaker, I yield to the gentleman from Missouri [Mr. DOCKERY] such time as he desires.

Mr. DOCKERY. Mr. Speaker, the confusion is so great that I was unable to hear the statement of the gentleman from Ohio [Mr. GROSVENOR] as to the machinery that was employed to

ascertain the value of the property, and I will be glad if the gentleman will state just how it was estimated that it amounted to \$10,000.

Mr. GROSVENOR. By Special Field Order No. 6, Major-General Rosecrans appointed a commission to adjust this claim and others against the United States. Evidence was taken at the time in all the claims as to the value of the property actually taken, and there never was a thought of paying damages for the use of the property.

Mr. LACEY. What became of the other claims?

Mr. GROSVENOR. Scores of them have been paid. I will tell the gentleman. This claim was investigated by the same men that investigated the claims of the churches in Chattanooga, and payment was made for every one of them except that in the case of the Catholic Church. The Quartermaster's Department refused to pay that claim because it was for property taken and not for the damages done to the property by reason of occupation, and doubtless gentlemen will remember that four or five years ago I called up and had passed a bill to pay the Catholic Church \$28,000 that had been reported as due them by that same board of appraisers.

Mr. DOCKERY. That was for use and occupation?

Mr. GROSVENOR. No, that was for the stone. It was a stone church and unfinished then, and they took the stone and hauled it away and put it into the forts on top of Cameron Hill.

Mr. DOCKERY. Where does this lady now reside—in Chattanooga?

Mr. GROSVENOR. Yes; she is an old lady, and lives in Chattanooga.

Mr. SULZER. How much does this bill carry?

Mr. GROSVENOR. Ten thousand dollars—one-half of the sum found to be due by the commission appointed by General Rosecrans.

Mr. DOCKERY. Of course, if this bill be passed it opens the door wide to all claims for the taking of property in the Southern and other States of the Union. I make no point about the claim coming from the State of Tennessee; but, speaking from recollection, I have made the statement—and I believe it to be correct, or substantially so, at least—that the Government in extending relief of this kind has heretofore limited its contributions to public institutions and, in the main, for use and occupation of public institutions by the armies of the United States.

I did not know that there was any precedent established by Congress, at least in recent years, that warranted a bill of this sort—paying damages for timber or for the construction of earthworks on a farm. The gentleman from Ohio [Mr. GROSVENOR] refers to a bill that had passed from my memory—a bill compensating certain parties for the use of stone, I believe. That, however, as a gentleman on my right advises me, was the case of a church.

Mr. GROSVENOR. The gentleman will allow me to say, in answer to a question which has been raised, that this claim was examined by the same board that investigated other cases of the same kind.

Mr. DOCKERY. If we enter upon the payment of damages incident to the movements of our armies during the late civil war, the question arises whether the Treasury of the United States will be able to meet this additional line of obligations.

Mr. COOPER of Texas. I do not wish to embarrass the gentleman, but he will allow me to ask whether he does not remember that last year, or during the present Congress, the Appropriations Committee put upon one of their bills an appropriation to pay \$1,200 upon a claim like this—the claim of a man named Kennedy, who went to the Appropriations Committee with his claim after the Committee on War Claims had rejected it?

Mr. DOCKERY. I have no recollection of such a claim; and I certainly had nothing to do with the incorporation of any such item in one of the appropriation bills. If it was so incorporated, it is in my opinion a bad precedent. Whatever may have been the merit of the claim, it was not entitled to recognition by giving it a place on an appropriation bill. If it was entitled to be paid, payment should have been provided for by a separate bill.

I have nothing to add except to say that, in my judgment, this legislation opens the door very wide for raids upon the Treasury. I know nothing about this particular bill, except what has been stated by the gentleman from Ohio. I shall vote against the bill.

Mr. CANNON. Will the gentleman from Missouri yield to me a minute or two?

Mr. DOCKERY. Certainly. I yield to the gentleman.

Mr. CANNON. Mr. Speaker, it may be that there are special circumstances concerning Mr. and Mrs. Cameron that would entitle them to the consideration of the Government to the extent of \$10,000. If so, I am willing to vote it.

Mr. GROSVENOR. Will the gentleman permit a question?

Mr. CANNON. No; not now. I say, it may be there are some circumstances surrounding the Camerons that entitle them to special consideration—that entitle them to receive \$10,000 as a gift from the Government. There are such cases. If this is such a one, I am quite ready to vote for it.

The gentleman says this old lady is needy. I am not at all conversant with the circumstances. I never heard of the case before. But I do say it is passing strange, if the Government owed these parties for fuel or supplies, that they were not paid many years ago, because the tribunals have been open all the time. I undertake to say that the Government does not owe \$10,000 for fuel taken from 34 acres of land.

"Ah, but," says the gentleman, "we are going to pay for damages done; the army threw up fortifications." Well, sir, we never have acknowledged any liability on the part of the Government in such cases; and the moment we embark upon the business of voting compensation in cases of that kind, we establish a new principle. For these reasons I shall vote against this bill.

Mr. BAILEY. I yield five or six minutes to my colleague [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I do not know enough about this particular claim to declare my position upon it. I am willing to accept the statement of honorable gentlemen who have investigated it. But I have been somewhat interested in claims of this character, because since I came here I have seen the efforts of members to press their claims upon the attention of the House, and I have had brought to my knowledge the fact that there were pending a great many claims against the Government, more or less just. It has seemed to me that the wisdom of this body ought to suggest some means of relieving this House of the enormous consumption of time in discussing these claims, which might be adjudicated by some court, existing or to be created, with proper authority.

I have had in my charge a claim which I have been endeavoring to bring before the House—a claim arising subsequent to the war. Certain Federal officials—officers of the Army—came to Port Lavaca, in the State of Texas, in the year 1865, and under a contract made by the quartermaster with the owner of the property took possession of the wharves of Port Lavaca, and under that contract occupied them about eight months. When they were returned to the owner they asked him for his bill, which was given, itemized in every particular. That claim was referred by the quartermaster in immediate charge to his superior, who in turn sent it to the quartermaster-general then located at New Orleans, who replied that he had no authority to pay claims arising in a State lately in rebellion, although every step, in connection with this indebtedness was taken after actual hostilities had ceased for some months, if the war itself was not technically concluded.

It was then sent to the Quartermaster's Department here in Washington, and after an investigation it was decided there that it could not be paid, unless specific authority from Congress was granted for that purpose, because the State had been lately in rebellion.

From that day to this, Mr. Speaker, this poor old man, who does not ask one cent of interest, has been seeking relief; has been presenting his claim here for consideration, and it has been frequently reported upon favorably, but there has been no concurrent action by the two Houses, and as a consequence the bill has never been passed for his relief. He is now 75 years of age, a paralytic, and poor and helpless. The Government has owed him since February, 1866, the to it paltry sum of about \$5,300, but to this poor old man quite a fortune; and it can not be paid to him because we can not get the measure through the House.

For that reason, sir, I venture to express the opinion that the House should make provision for the creation of a court or tribunal to properly consider and adjudicate claims of this character and in that manner allow the Government of the United States to pay its just debts—debts which, like this, have been created under a contract, just as the people of the country are required and expected to pay their just debts.

Mr. GROSVENOR. Will the gentleman allow me a word just there?

Mr. SLAYDEN. Certainly.

Mr. GROSVENOR. If the gentleman from Texas will devise a wise and intelligent proposition to meet the suggestions he has made, and will draft a resolution of that character and bring it before the attention of the House, he will have done a greater kindness to the people of the United States than by any other act of legislation he can perform on this floor.

Mr. SLAYDEN. The gentleman from Ohio believes that these just debts of the Government should be paid?

Mr. GROSVENOR. I do, unquestionably; and I have only suggested that the gentleman might take a step in that direction in the manner stated.

Mr. SLAYDEN. The greater experience, wisdom, and better judgment of my friend from Ohio would suggest the propriety of his preparing such an act of legislation.

Mr. GROSVENOR. I have been working at it for many years. Mr. SLAYDEN (continuing). For certainly the just debts of the Government should be paid—those debts made under a contract, at all events—just as individuals are required to pay theirs.

Mr. BAILEY. I yield three minutes to the gentleman from California [Mr. LOUD].

Mr. LOUD. Mr. Speaker, there are two grounds, and two only, for the payment of this claim. One is that it is a legal claim against the Government of the United States, and the other that it is a gratuity on the part of the House of Representatives. The latter, of course, no Representative under his oath has the right to support.

Now, if it be a legal claim against the Government of the United States, then the Government had better right now start into the business of paying for every piece of property destroyed of every character, particularly in the North, where there is no doubt of the loyalty of the claimant, during the unpleasant days of 1861-1865. If the claim has a legal standing, then the claim of the State of Pennsylvania, which has been pending here for many years, has also a legal standing, and every building, every church, every piece of property, every tree cut down or destroyed during the rebellion should be and must be paid for by act of Congress.

I know the winning ways of the gentleman from Ohio. I know the influence he has in the House. But I call upon the House to contemplate what it is doing to-day before they establish such a precedent as will provide for the payment in all cases for property destroyed during the rebellion.

Mr. BAILEY. Mr. Speaker, I yield the remainder of the time to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker—

The SPEAKER. The gentleman from Tennessee has six minutes.

Mr. RICHARDSON. Mr. Speaker, I had not intended to say a word on the pending bill, because I know nothing in the world about the claim it presents. I have had no opportunity of making an investigation. But I wish to say a word or two in reference to the payment of such claims.

Now, if I understand the action taken by Congress in dealing with claims of this character, it is this: Congress has decided, or did decide soon after the war—and I think the decision is in strict consonance with international law—that they would not pay for the use and occupation of property in the South, or in the insurrectionary districts, where it was necessary for the Army to operate in order to suppress the rebellion.

That, I think, is the proper rule of law. If the Government of the United States had a right to put down the rebellion, which they clearly had the right to do, they had also the right to occupy every foot, without cost to the Government, of territory in the South for that purpose. And I think that has been the line of action taken in these cases.

But, Mr. Speaker, Congress went further and said that if, while occupying this territory in the South in the suppression of the rebellion, the property of a loyal citizen—the personal property—was taken for the use of the Army, and the Army got the benefit of such property, we will pay for it. That is the law.

In this case, as I said, I do not know what the facts are. The bill on its face provides that the payment shall be for occupation of the separate property of this claimant, and for fuel taken therefrom for General Rosecrans's army. As I understand it, under the law, if it was for occupation, the Government is not bound to pay for such occupation. The Government has in some cases paid for use and occupation; but when it did so it transgressed the strict rule which it prescribed for its own action.

Mr. GROSVENOR. Will the gentleman allow me to call his attention to the fact—

Mr. RICHARDSON. Yes.

Mr. GROSVENOR (continuing). That the Committee on Claims of the Forty-second, Forty-third, Fifty-first, Fifty-second, and Fifty-fourth Congresses recommended the passage of this bill; and that in the Forty-third, Fifty-first, and Fifty-second Congresses it passed the Senate?

Mr. RICHARDSON. Yes.

Mr. GROSVENOR. That favorable reports have been made in the House in the Fifty-first, Fifty-second, Fifty-third, and Fifty-fourth Congresses, all of them presumably charged with a knowledge of the law and the facts.

Mr. RICHARDSON. I say I am not familiar with the facts. This bill provides for payment for use and occupation and for fuel taken. I say, under the precedents Congress has established, it ought to pay for the fuel taken from this loyal citizen. Whether that amounts to \$10,000 or not I do not know.

Mr. GROSVENOR. The report—

Mr. RICHARDSON. But I do say the Government is not obligated to pay for use and occupation. Now, the only interest I have in this matter, outside of a general interest, is that I think we ought to adhere to the rule laid down by Congress; and if Congress will pay to the loyal citizens of the South the value of the personal property taken from them and used by the Army, those of us from the South will be satisfied. We do not expect to carry the rule any further than that, and we are content to have the law enforced in that way. Now, if the gentleman from Ohio

[Mr. GROSVENOR] states that the proof shows that the personal property taken, that is, the fuel, was equal to \$10,000, this claim certainly ought to be paid.

Mr. GROSVENOR. Not the fuel probably, but the gentleman will see that the report of the commissioners found \$20,000.

Mr. RICHARDSON. I had not the report before me, and therefore did not know.

Mr. GROSVENOR. Twenty thousand dollars; but, as I understand it, because of the very fact suggested by the gentleman from Tennessee, the committees have uniformly cut the claim down one-half, presumably, I say, intending to pay only for the actual property taken.

Mr. LLOYD. Mr. Speaker, is it not a fact that the original proof showed that the amount taken was \$200,000?

Mr. GROSVENOR. No; that was a misprint in the report. The original finding was \$20,000.

Mr. RICHARDSON. I have not a copy of the report before me.

Mr. CANNON. I have, and if my friend will allow me I will read from it.

Mr. RICHARDSON. Certainly.

Mr. CANNON (reading)—

Mr. Cameron and his wife filed claim before this commission—

That is, the one appointed by General Rosecrans—

for the destruction of the buildings, fences, timber, orchards, and other injuries done this property and for the use and occupation of it by the Union troops.

Upon the proofs taken at the time a finding was made in their favor of \$200,000.

The gentleman says that that is a misprint, and that it should be \$20,000.

Numerous affidavits and documents attest the loyalty of Mr. and Mrs. Cameron and the facts of fences, buildings, and timber being consumed by the Federal Army for fuel.

Now, it does not show any appraisement of the value of the fuel.

Mr. RICHARDSON. I have just had the report handed to me. I do not know how that is. I simply rose to state what I understand to be the law; that is, that the Government has agreed to pay loyal citizens for personal property taken and used by the Army, and with that we are content down there, and our chief complaint against Congress is that it does not do that, and has not paid any for a great many years.

Mr. LOUD. Your complaint is that it does not do enough of it.

Mr. RICHARDSON. We do not insist on pay for use and occupation, because we do not think under the law we would be entitled to it. Congress has in a few instances paid colleges and churches for use and occupation, but almost always in cases of this kind it has been where there was a contract made and they were used for hospital purposes or something of that kind. In cases of that sort it is eminently proper that there should be payment made.

The SPEAKER. The time for debate on the bill has expired. The question is on suspending the rules and passing the bill.

The question was taken; and on a division there were—ayes 34, noes 58.

Accordingly (two-thirds not voting in the affirmative) the House refused to suspend the rules and pass the bill.

Mr. STEELE. I desire to ask unanimous consent—

LIEUT. ROBERT PLATT.

Mr. FISCHER. Mr. Speaker, I have a bill that comes up as unfinished business. I desire to call up the bill S. 1126.

The bill was read, as follows:

A bill (S. 1126) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander.

Be it enacted, etc., That the President be, and is hereby, authorized to appoint Robert Platt, lieutenant of the junior grade, United States Navy, not in the line of promotion, to the rank of commander, United States Navy, not in the line of promotion, and that for this purpose there be, and is hereby, authorized one additional commander, not in the line of promotion, but in all other respects to be entitled to the rank, pay, emoluments, and privileges of commander in the Navy of the United States.

Mr. DOCKERY. Mr. Speaker, I think there was a point of order reserved against that measure.

Mr. GROSVENOR. I make the point of order that debate is exhausted on this bill.

Mr. DOCKERY. Yes, sir; there is a point of order pending against this bill.

Mr. FISCHER. No.

Mr. GROSVENOR. A point of order is pending against the speech of the gentleman from Missouri.

Mr. CANNON. What is the gentleman trying to do with this bill?

The SPEAKER. The Chair will endeavor to find out the status of the bill. [After a pause.] The Journal does not state whether debate was exhausted.

Mr. FISCHER. My impression is that debate was exhausted, and the House indulged in debate for five minutes on a side. I ask unanimous consent that debate be had for five minutes on a side.

The SPEAKER. The gentleman asks unanimous consent that there be five minutes' debate on either side.

Mr. BAILEY. Pending that, Mr. Speaker, why make that request for five minutes when, upon demand of a second, we would be entitled to twenty minutes?

The SPEAKER. That was a request for unanimous consent, because the Chair was informed debate had been exhausted.

Mr. BAILEY. When was this matter before the House?

The SPEAKER. It was before the House the 2d of May, 1898.

Mr. CANNON. Well, I make the point of order, Mr. Speaker, that it fell when the House adjourned. It being a proceeding to suspend the rules, and that suspension day having passed by, the whole proceeding fell.

Mr. FISCHER. I will state to the gentleman that there was no other individual suspension day on which I could call it up.

The SPEAKER. But the Journal of May 2, 1898, says:

Pending further consideration in the House.

The bill was withdrawn to be pending as unfinished business on next suspension day.

Mr. DOCKERY. Well, that shows this bill has had its day in court.

Mr. FISCHER. I have been in attendance regularly here, and this is the first opportunity I have had to bring up the bill again. I know of no suspension day intervening between the days.

Mr. SULZER. We will admit that it is no fault of yours.

Mr. FISCHER. The fault is entirely with the gentleman from Missouri.

Mr. BAILEY. By unanimous consent it could go over, but I do not understand that there is anything in our rules to provide for unfinished business on suspension day.

The SPEAKER. There is.

Mr. BAILEY. I would imagine that at the close of suspension day the work that was not completed that day would fall.

The SPEAKER. Probably the reasoning of the gentleman may be correct, but the custom of the House, the Chair thinks, has been different. Matters have gone over to various suspension days; for instance, if the unfinished motion for suspension be made by a committee, it would go over to committee suspension day; at any rate, it would go over to that or the next suspension day.

Mr. BAILEY. I could understand, of course, that by unanimous consent that could be done.

The SPEAKER. But this was by unanimous consent, to go over until the next suspension day.

Mr. DOCKERY. I make the point that it is not in order under the terms of the agreement which the Chair has just read from the Journal.

The SPEAKER. That states it is to be pending as unfinished business on the next suspension day.

Mr. DOCKERY. If it was not called up, would it not go over?

The SPEAKER. The Chair thinks not.

Mr. DOCKERY. But this bill was withdrawn.

The SPEAKER. The gentleman will hear the gentleman from New York on that point.

Mr. FISCHER. Merely the question as to whether or not it is still pending?

The SPEAKER. Whether it is still pending.

Mr. FISCHER. If the proposition were contained entirely within the first point of the consent which I asked for at the last session, the contention of the gentleman from Missouri would be well taken, or his point of order would be well taken; but if the entire language is read, you will find that coupled with that request for consent that it be withdrawn was that it may be considered pending as unfinished business. I did not stop with the proposition to withdraw it, but withdrew it on certain other conditions—that is, that it shall be here as unfinished business. If I had merely withdrawn it, then the point would be well taken; but what I asked for was that it should be unfinished business. It was to be considered as pending, to be withdrawn only for that time for consideration.

The SPEAKER. The Chair thinks the bill is before the House as unfinished business; and if it was unfinished business on the next suspension day, it would come up as unfinished business. The fact that unfinished business is not taken up does not destroy its status.

Mr. DOCKERY. I suppose it will be in order to vote this down?

The SPEAKER. That will be in order. The question is on suspending the rules and passing the bill.

The question was taken; and the SPEAKER announced that it appeared that two-thirds had not voted for the bill.

Mr. FISCHER. I demand a division.

The House divided; and there were—62 ayes and 53 noes, not two-thirds voting in favor thereof; so the House refused to suspend the rules and pass the bill.

BERDAN FIREARMS MANUFACTURING COMPANY.

Mr. STEPHENS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 321) for the relief of the Berdan Firearms Manufacturing Company.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Berdan Firearms Manufacturing Company be, and the said company is hereby, authorized to institute a suit in the Court of Claims against the United States and for the benefit of Mrs. Mary Kimball Berdan, the widow of Hiram Berdan, the inventor of certain devices described and claimed in a patent issued to the said company, dated March 30, 1869, and numbered 88436; said suit to be instituted for the use by the United States of the said devices from March 30, 1869, to July 28, 1881; and the bar of the statute of limitations is hereby waived and the suit may be prosecuted to final judgment, as the suit might have been prosecuted if it had been instituted within six years from the time when, as is alleged, the said devices were used by the United States.

The SPEAKER. Is a second demanded?

Mr. LOUD. I demand a second.

Mr. STEPHENS of Texas. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the motion of the gentleman from Texas, that a second be considered as ordered? [After a pause.] The Chair hears none; and a second is considered as ordered. The gentleman from Texas is recognized for twenty minutes.

Mr. STEPHENS of Texas. Mr. Speaker, this claim is in favor of Mrs. Berdan, the widow of General Berdan, a noted officer in the Union Army during the civil war. She is simply asking permission to sue the United States in the Court of Claims, her claim being barred by limitation. The bill removes that bar and permits the suit to be brought. It would be nothing but an act of justice on the part of the Government, after it has obtained the use of the invention of General Berdan, that his widow be permitted to sue the Government.

Mr. COX. Will the gentleman permit me to ask him a question?

Mr. STEPHENS of Texas. Certainly.

Mr. COX. Does this bill go to the extent that the Court of Claims can render judgment on its finding of facts?

Mr. STEPHENS of Texas. Certainly; that is the object of the bill. The Court of Claims would have rendered judgment in the former suit for the full amount of Mrs. Berdan's claim, but the statute of limitations barred all but six years of the claim. It is not an express contract, but an implied contract, and therefore was barred at the end of six years.

General Berdan, several years before his death, brought suit against the United States Government and obtained a judgment for the arms that were used for six years preceding the filing of the suit. But about ten years of the time that the Government had used the firearms was barred by the statute of limitation. The object of this suit is to permit his widow to recover from the Government the value of his invention during this ten years.

In 1866 General Berdan filed his application for a patent. It was issued in 1868. General Hancock and others were, in 1868, appointed by the United States Government to pass upon the merits of various patents on firearms with a view of adopting the best patent at that time. General Berdan's patent was adopted, and it was used for fifteen years by the United States Government upon the frontier and generally in the Army.

The old Springfield rifles were changed so that the extractor and ejector patented by General Berdan could be used in those arms. It was a great saving to the United States Government, and the Committee on Patents reported, after thorough investigation, that it saved the Government hundreds of thousands of dollars. The Allen patent at that time was being used, and that patent cost the Government \$1.25 to put the invention in each gun. The Berdan patent, which was superior to the Allen patent, only cost fifty-nine and a fraction cents; consequently there was a great saving to the United States Government in using the Berdan patent.

This award was made in favor of the Berdan patent over the Allen patent by a committee consisting of General Hancock and others, General Hancock being chairman of that committee. It was a patent of great value, and the widow now only seeks permission to bring suit in the Court of Claims, suspending the bar of limitation against her claim.

Suit would have been brought by General Berdan before it was barred by the statute of limitations, but he was advised by his attorneys that he had an express contract with the Government and that it would not be barred, and that he had better permit all the Springfield rifles belonging to the Government to be changed, so that he could bring suit, if he had to have a suit, upon the entire number of guns on which his invention was used. That advice cost him ten years' time. He waited six years more, or sixteen years in all, before he finally brought his suit in the Court of Claims against the Government. He obtained judgment for six years' time next preceding the filing of the suit, and the Government appealed the case to the Supreme Court, and the case was affirmed, thus sustaining fully the justice of the claim.

Mr. COX. Will my friend allow me? I understand that he obtained judgment for the use of the arms for six years.

Mr. STEPHENS of Texas. Yes; six years preceding the filing of his suit.

Mr. COX. And by this bill you propose to extend it for ten years?

Mr. STEPHENS of Texas. Yes; so as to include the rest of the time between the six years for which he obtained judgment and the time the Government commenced to use his patent, about ten years.

Mr. Speaker. I reserve the balance of my time.

Mr. SULZER. Mr. Speaker, I concur in all the gentleman from Texas has said in regard to this bill, and I hope it will meet with no opposition. The bill is an honest one, and has the unanimous support of the committee. It simply does an act of justice to a very worthy and deserving widow of a most distinguished Union soldier. I trust no member of this House will object to giving her a day in court to present the merits of her case.

Mr. COWHERD. I wish to ask whether at the time this article was patented General Berdan was an officer of the Government?

Mr. STEPHENS of Texas. I can not answer that question.

Mr. SULZER. He was not.

Mr. LOUD. Mr. Speaker, in view of the manner in which this bill comes before us, I must admit that I know nothing of it, though I know probably as much about it as the average member of this House. But it would seem that after the lapse of so many years, during a part of which this claimant has had his rights in the court and under the law, Congress should hesitate before it rehabilitates or breathes the breath of life into a claim which probably, if it had been prosecuted in the courts when the witnesses were alive, could never have resulted in a judgment in favor of the claim.

Mr. STEPHENS of Texas. The gentleman will allow me to suggest that the evidence taken in the former suit can all be obtained.

Mr. LOUD. The argument made in favor of allowing this claim is that the party did go to the Court of Claims, but did not prosecute his suit, and the case was dismissed. Now, the assumption would be, after this lapse of thirty-six years, that he must have had then as good a case as he has now. Of course, it may be that some of the material witnesses are now dead—material witnesses perhaps on the side of the Government—by reason of which fact the case of the Government could not be as strongly presented as it could have been at that time.

I do not know any reason why the Government, after the lapse of thirty-odd years, should give a defeated contestant a rehearing. I say "a defeated contestant" because evidently if this party had had any case he would have pursued it in court. I do not believe it would be well to give the parties interested a rehearing of the case, with the opportunity to take advantage of certain conditions now existing. As is well known to some members of this House, the interests of the Government are not at all times defended in the Court of Claims with the ability displayed on the other side, especially where a large amount of money is involved.

The main point made by the gentleman from Texas—I can not see much strength in it—is that the attorney of Mr. Berdan advised him that he had a contract.

Mr. STEPHENS of Texas. An express contract.

Mr. LOUD. That he had an express contract, and that there was no use of his pursuing the case further in the Court of Claims. That is but an allegation at best. But even admitting it to be true, why should a claimant of this kind, after having had all the rights of any other citizen, come here and ask the Government to permit him once more, simply because his attorney advised him to withdraw the suit—I do not think that fact appears in the evidence in the case, but if it were true, why, I ask, should he be permitted to take advantage, after the lapse of thirty-six years and the disappearance, possibly, of much of the evidence material to the case of the Government, why should he be permitted to bring his case again before the Court of Claims, a case involving, I suppose, a large amount of money, so that the parties could well afford, probably, to employ the best legal talent in the country, while they would have opposed to them on the part of the Government attorneys who have more cases to attend to in the Court of Claims than they can possibly attend to properly?

It appears from a casual examination of this report that it is not even alleged that the Government used in the construction of its arms more than a very small part of any of the patents or appliances alleged to have been owned by Mr. Berdan. Now, it would be pretty difficult to prove after thirty-six years—

Mr. STEPHENS of Texas. The report shows that there were 284,000 rifles—

Mr. LOUD. Certainly, I do not deny that rifles to that number were made; but it is not contended that those rifles were made in accordance with the patent of Mr. Berdan. All that is claimed is that perhaps some trifling portion of the arms manufactured may possibly have been an infringement upon some trifling part of an arm which he had invented. That is all that is alleged.

I hope the House will exercise the same sound judgment in this case that it has exercised in others, and that after this case has been allowed to sleep for thirty-six years Congress will permit it to rest with the millions of other claims no more meritorious which are knocking at our doors.

I reserve the balance of my time.

Mr. STEPHENS of Texas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. MITCHELL].

Mr. MITCHELL. Mr. Speaker, the statements which have been made by the distinguished gentleman from California [Mr. LOUD] as to the facts of this case are somewhat incorrect. He speaks about these claimants having rested upon their claim for thirty-six years. As a matter of fact, the patents in this case were not taken out anything like thirty-six years ago. They are of much more recent date. Suits were commenced in the Court of Claims on these patents some time, I think, between 1872 and 1879.

The facts are that the Government was so much interested in procuring the use of Mr. Berdan's inventions that the officers of the Government asked to have the patents expedited in the Patent Office. They were anxious to use these inventions because the Berdan device would save, in the actual cost of construction, at least \$1.25 on every gun made.

Now, the attorneys for the patentee construed the arrangement with the Government, as attorneys sometimes do, incorrectly, and advised their client that he should not sue until the Government had completed the manufacture of all these guns.

The result was that the Government continued the manufacture of the arms, and Berdan went to the Court of Claims, which awarded him a royalty of 59.4 cents on each gun manufactured, which amount is about one-fourth of what the experts estimated should have been allowed to him. The court, however, could allow him a royalty only on a portion of the guns, for the reason that the statute of limitations absolutely prohibited the court from considering the question of his claim for guns manufactured six years prior to that time.

The case then went to the United States Supreme Court—

Mr. LOUD (interrupting). If the gentleman will allow me, I would like to know what he is quoting from? He seems to be quoting a statement of facts which do not appear of record here.

Mr. MITCHELL. I am quoting from the testimony in the case.

Mr. LOUD. This appears to have been presented a great many years ago, and I do not find the facts the gentleman possesses set forth.

Mr. MITCHELL. I will state to the gentleman that no part of the claim is thirty-six years old. I am speaking, however, particularly of the legal questions involved.

Mr. LOUD. I hope the gentleman will confine his statement, then, to the report of the facts as they appear of record.

Mr. MITCHELL. The facts are as they appear in the report.

Mr. LOUD. Then I will state that the gentleman's statement does not conform with the report as far as I have been able to examine it.

Mr. MITCHELL. I will thank the gentleman for any correction he may make. I do not wish to misrepresent any of the facts in the case. The facts are and the report shows that this device was not approved by the War Department until November, 1868, and the manufacture of it by the Government commenced after that date. I am stating now what is of record.

The legal situation is that the Supreme Court of the United States passed on the matter. As stated in the opinion of this court, recorded in 156 United States Reports, page 573, Berdan was unquestionably entitled to recover on the award of the Court of Claims, and the Supreme Court awarded him in this judgment the sum of about \$95,000.

Now, under that decision of our highest court it is perfectly evident that the balance due is justly due as soon as the statute is removed, and that the widow should have the right to go to the Court of Claims and prove her case.

That is all I desire to say upon the question.

The SPEAKER. The question is on the motion of the gentleman from Texas to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the motion to suspend the rules and pass the bill was agreed to.

Mr. MITCHELL. Mr. Speaker, I move to reconsider the vote.

The SPEAKER. There is no necessity for reconsidering the vote, the bill having been passed under a suspension of the rules.

CONSIDERATION OF PUBLIC-BUILDING BILLS.

Mr. MERCER. Mr. Speaker, I move to suspend the rules and pass the resolution I send to the desk.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That immediately after the reading of the Journal on Tuesday and Wednesday, February 7 and 8, the House proceed to consider such bills as may be indicated by the Committee on Public Buildings and Grounds, such consideration to be first had in Committee of the Whole House on the state of the Union, and the consideration of such bills in the House or in Committee of the Whole House to continue during the two days mentioned.

The SPEAKER. Is a second demanded?

Mr. DOCKERY. Before demanding a second, I would ask unanimous consent to propose a modification of the resolution. I suggest that the gentleman fix in the resolution some hour for adjournment each day.

Mr. MERCER. I will say that that is a good suggestion. I am perfectly willing to say that the House shall adjourn at 5.30 o'clock; and ask to so modify the resolution.

Mr. LOUD. I think 5 o'clock is long enough.

Several MEMBERS. Why not make it 5 o'clock?

The SPEAKER. The modification proposed by the gentleman from Nebraska will be read.

Mr. MERCER. I propose to modify the resolution by adding to it the words "the House to adjourn not later than 5.30 o'clock p. m. on each day."

The SPEAKER. Is a second demanded?

Mr. LOUD. I thought the gentleman from Missouri had demanded a second; but I demand a second.

Mr. MERCER. I ask unanimous consent that a second be considered as ordered.

Mr. LOUD. I have no objection to that.

I have no objection to the resolution itself. I will say to the gentleman from Nebraska, but it seems to me that in the shape the gentleman offers his resolution the House would be compelled to remain in session until 5.30 o'clock, whether it is desired to do so or not, after completing its business.

Mr. MERCER. No; the gentleman is mistaken. I have modified it by providing that the session shall terminate not later than 5.30 on each of the days mentioned.

The SPEAKER. The resolution will be again reported as modified.

The modified resolution was again read.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution passed.

ADDITIONAL EMPLOYEES, COMMITTEE ON ENROLLED BILLS.

Mr. LOUD. Mr. Speaker, I ask for the reconsideration of House resolution 375, providing for the appointment of additional clerks for the Committee on Enrolled Bills. This resolution was passed on Saturday last, but in such form that the chairman of the Committee on Enrolled Bills informs me the clerks could not get any pay.

The SPEAKER. The resolution will be reported.

The Clerk read as follows:

Resolved, That the chairman of the Committee on Enrolled Bills be, and he hereby is, authorized to appoint two additional clerks for said committee for the remainder of the session; said appointments to date from January 20, 1899.

Mr. LOUD. Now, Mr. Speaker, I ask to reconsider the vote for the purpose of appending to the resolution the following words, which I send to the desk.

The Clerk read as follows:

Add to the resolution just read "and the clerks appointed under this resolution be paid \$3 per diem, to be paid out of the contingent fund of the House."

The SPEAKER. The gentleman moves to suspend the rules and pass the resolution with the amendment reported.

Mr. LOUD. If that is the best parliamentary way, should we not first reconsider the vote already taken?

The SPEAKER. The gentleman can move to suspend the rules, reconsider the vote already taken, and pass the resolution with the amendment which has just been read.

Mr. LOUD. That is entirely satisfactory.

The SPEAKER. Is a second demanded?

No second being demanded, the motion to reconsider the vote by which the resolution was passed, and to pass the same with the amendment, was agreed to (two-thirds voting in favor thereof).

REFERENCE TO COURT OF CLAIMS OF CERTAIN BILLS.

Mr. OTJEN. Mr. Speaker, I move to suspend the rules and pass the following resolution.

The Clerk read as follows:

Resolved, That the resolutions (Nos. 136, 137, 138, 139, 153, 165, 166, 167, 168, 171, 177, 178, 179, 180, 188, 189, 193, 199, 200, 201, 202, 203, 209, 210, 211, 213, 214, 215, 217, 218, 240, 241, 243, 244, 245, 249, 265, 266, 268, 282, 295, 302, 303, 304, 305, 359, 379, and House bill 648) for the relief of Abel Casper, Fannie J. Johnson, William O. Mosely, Warren R. Dent, Martha S. Carmichael, Henry Eastorlin, J. H. McVeigh, Mary Ann Hendricks, Levi Elmore, Mississippi Manufacturing Company, Mrs. Minnie Andrews, Richard P. Blackiston, Alexander Poland, W. B. Horner, Jacob E. Smith, Catherine Morein, James R. Shrodes, Thomas B. Scott, Michael Dittlinger, C. Phitzing, John Doyle, Dr. Theodorick Bland, Abram Lasher, J. & O. P. Cobb & Co., Mrs. S. O. N. Pleasants, Ellen J. Brossman, heirs of Andrew Schoenfeld, Joseph Curriden, Fannie Solari, estate of Henry E. Windley, Thomas Owens, heirs of John Montgomery, and Thomas E. Williams, M. H. Johns, W. D. Hatch, Edward O. Watkins, estate of Samuel Worthington, deceased, Theodore C. Greenhill, A. I. Sands, Francis Midlets, Elizabeth Fulwiler, Catherine M. Pritchard, heirs of Manett Marsons, George Denny, sr., Mary E. O. Dashiell, Septimus Brown, W. B. Morrow, Mary E. Stalcup, widow of Joshua Stalcup, deceased, and Hamlin Caldwell, with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims for a finding of facts under the terms of the act approved March 3, 1887, and known to the profession and the courts as the Tucker Act.

Mr. CANNON. Mr. Speaker, I demand a second.

Mr. OTJEN. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. OTJEN. Mr. Speaker, there are 44 claims reported by the Committee on War Claims to this House with the recommendation that they be sent to the Court of Claims for consideration. They are all of one character, being for stores and supplies. The total amount involved in these 44 claims is \$212,604. The last report of the Court of Claims upon claims of this character shows that it has acted upon 176 similar claims, and disallowed or dismissed 151 of them.

Mr. CANNON. Of these claims, or claims of a similar character?

Mr. OTJEN. Claims of a similar character. The amount claimed in the claims which were disallowed was \$250,179. They allowed 25 claims, the amount allowed being \$12,807, showing that the court has allowed a little less than 5 per cent. Now, in these 44 claims that we seek to send to the Court of Claims there is \$212,000 involved, and if the court should allow them at the same ratio as heretofore—and there is no reason why a greater amount should be allowed—the amount allowed would be about \$10,500. Now, these claims have all been passed upon by the Committee on War Claims and are on our Calendar here. Many of them have been reported a number of times, and it seems to me that they ought to be sent to the Court of Claims, there to be disposed of. Many of them will not return.

In the first place, the claimants will be required to prove their loyalty. Nothing is waived in sending them to the Court of Claims except the statute of limitations. It seems to me we ought to send these claims there rather than have them come up here session after session to lumber up our Calendar and involve the Government in the expense of printing reports, bills, and so forth. I simply ask that these claims be sent to that tribunal for consideration.

Mr. CANNON. In referring them under the Tucker Act, does that mean that the court is to render final judgment?

Mr. OTJEN. No; it simply reports its findings to the House without judgment.

Mr. CANNON. I understand my friend to say that these claims, amounting to \$212,000, are all on the Calendar now?

Mr. OTJEN. Yes.

Mr. CANNON. All with favorable recommendations?

Mr. OTJEN. With favorable recommendations that they be sent to the Court of Claims.

Mr. CANNON. Have the committee looked into the merits of them?

Mr. OTJEN. Yes; that is the supposition. They were all acted on in full committee, and such a recommendation was made.

Mr. CANNON. Presumably they have merit?

Mr. OTJEN. They have merits or else they would have been disallowed.

Mr. CANNON. And still my friend has so little confidence in the judgment of the Committee on War Claims that he says here are \$212,000 worth of claims and that if we will refer them to the Court of Claims he is satisfied that not exceeding 5 per cent of that amount will be allowed by the court.

Mr. OTJEN. Well, I am only giving you the facts, that the Court of Claims in passing upon 176 similar claims, amounting in the aggregate to \$263,000, has allowed a total of only \$12,807, which is a little less than 5 per cent.

Mr. CANNON. If my friend will allow me—because we want to get at the exact facts—I take it that all these claims have had their day in court under legislation of Congress, before the War Department, and have been rejected. Not content with that rejection, and after the statute of limitations has run, they still come to Congress—as they have power to do—to appeal to Congress for relief.

Now, my friend wants to wash his hands and give them a second adjudication, and he is satisfied that 95 per cent of them will be rejected, and he does that to get rid of them. Yet that 95 per cent of them will come up smiling and will be here when my friend is dead and gone, asking that the statute of limitations be removed a second time and that a second adjudication be set aside. These claims having had their day in court, when multiplied millions of dollars were paid, after investigation by the Department, at the Government expense, and after full hearing before the Quartermaster-General and the War Department, is it not the best now to say that these matters are stare decisis, and that we will let them sleep, they having had their day in court?

Mr. LOUD. Do we not want some company for the Berdan case?

Mr. CANNON. The Berdan case is upon quite a different ground, as I read the report.

Mr. LOUD. It wants to get into court and to get out.

Mr. CANNON. The facts are all of record. I do not care to discuss it now. The Berdan case was referred. We sent it to the court. That does not mean that these are right. I do not care to take the time of the gentleman, and if I consume his time I will yield him some of mine.

Mr. OTJEN. What we want to get is the facts.

Mr. CANNON. What we want to get at is the facts.

Mr. OTJEN. I can not give you the particulars in each case. I can only say to you that each and all of these cases has been investigated by the Committee on War Claims, and it is the judgment of that committee that these cases ought to go to the Court of Claims. Now, so far as the statute of limitations is concerned, I think as to these claims there ought to be only one condition, and that is whether they are honest and straightforward claims against the Government; and if they are, we ought to pay them, notwithstanding the statute of limitations, whether these claims have been passed upon by any department or not.

Mr. CANNON. I think there will be no question but every one has been passed upon.

Mr. GIBSON. If a case has ever been presented to any department of the Government there is no bar of the statute of limitations.

Mr. CANNON. Very well. The gentleman says there is no bar. I have no doubt, I will say to my friend, that every one of these claims has had its day in court before the Quartermaster-General's Department. We had a force of special agents who made investigations for the department. I remember that we made appropriations for that purpose.

Mr. GIBSON. I would say to the gentleman that if he would examine these cases investigated by the Quartermaster-General, he will find that the Quartermaster-General decided that there was no law for him to determine, and that he disallowed nearly all these Southern claims.

Mr. CANNON. My friend is clearly in error, because hundreds and hundreds of thousands of dollars were allowed.

Mr. GIBSON. That is very true; but they amounted to millions.

Mr. CANNON. These matters frequently fell within my knowledge, when they came before me as a member of the Committee on Appropriations for agents that were sent all over the country. Reports were made by them. There was a corps of clerks—I recollect at one time as high as 100 clerks—in the Quartermaster-General's Office. It was not only his duty, but it was a binding duty, under the law, to make these adjudications, and he did make them, and the reports of the Quartermaster-General were acted upon and appropriations were made.

Now, what I claim is this: That these claims having had their day in court, and having been adjudicated, they seek a second adjudication, and if perchance by our act they are given another chance and are again turned down, like hope they will spring eternal and seek a third adjudication. If these were matters between private individuals, they would have been ended; but as it is against the Government, why Congress has complete jurisdiction; and here we are.

Mr. OTJEN. May I interrupt the gentleman? I want to correct the gentleman by stating that not a single claim that has been disallowed by the Court of Claims for stores or supplies ever came back to Congress for reallowance. I looked that matter up very carefully about claims for stores and supplies, such as these cases, and not a single one has ever come back here for reallowance when once turned down by the court. I now yield to the gentleman from Texas [Mr. COOPER].

Mr. COOPER of Texas. Mr. Speaker, no man can so keenly appreciate the interest in these cases as a member of the Committee on War Claims. We are confronted every day that we have a session with claims presented by parties who are interested in them. We can not have other than ex parte hearings on these claims, and from the statements made and from the testimony adduced it is apparent that the claims are just and as meritorious as other claims before this House. But we prefer to refer them to the Court of Claims.

They appear to be just and meritorious; but in consequence of their antiquity we are unwilling to make a report to this Congress asking appropriations to pay them, but prefer to refer them to one of the branches, the judicial branch, of the Government, that it may ascertain whether or not the claim is just and whether the citizen was a loyal citizen and is entitled to be paid. Now, the objection made by the gentleman from Illinois to these claims is, as he says, "they have had their day in court." In this I am sure he is in error. I would not assert it positively, but I believe it to be true that not a single one of the claims proposed to be referred to the court by this resolution has ever had its day in court.

As a matter of fact, conditions were these: Congress provided several departments or agencies authorized to inquire into the validity of these claims, and some were authorized to make payments of this character of claims subsequent to the war. The Southern Claims Commission had power to do so, but by a rule prescribed by them in all claims amounting to the sum of \$10,000 in value the witnesses had to appear here in Washington in person and testify before that commission. In consequence many of the claimants, being poor and unable to furnish the money to

bring their witnesses here, could not prosecute their claims, and hence their claims fell by the wayside.

As a further matter of fact, a number of these claims were put into the hands of attorneys here that were never presented by such attorneys to any branch of the Government for adjudication or payment, and they have slept there for a number of years.

Mr. CANNON. If my friend will allow me right there, for that very reason, that poor people might have their claims investigated, Congress for many years appointed agents and paid them from the Treasury, who, at the expense of the Government, went into all the States from which the claims came and made investigation, after giving the claimants due notice, with full power to appear by attorney or otherwise.

Mr. COOPER of Texas. Admitting that statement to be correct, they could not have known of these claims that were lying in the hands of attorneys in Washington or that belonged to people who were unable to bring their witnesses here to the courts.

Mr. CANNON. I say again, that these agents went on the ground—went to Tennessee, to Virginia, to Kentucky; and for many years that was done. My friend says that these claims were not before the Southern Claims Commission or the Quartermaster-General. I feel very sure that my friend is mistaken.

Mr. COOPER of Texas. I do not state that positively. Some of them may have gone there, but I stated that the reason they were not acted upon by this tribunal was because the tribunal required the witnesses to come in person, and they could not come and bring their witnesses here on account of the expense.

Mr. CANNON. Right there I controvert my friend's position. I think he is in error, because the Government went on the ground through its agents, many of them, and made an investigation after giving notice to the claimants.

Mr. COOPER of Texas. Mr. Speaker, I can answer the gentleman from Illinois [Mr. CANNON] better by citing one case. I know of one case in the resolution proposed to be referred of a gentleman who furnished stores and supplies to the Army in its necessity, and he took receipts from the commanding officers in charge. He had the affidavits of the men who got the property, and that claim has never been presented for consideration to any tribunal. Once it passed this branch of Congress, but has never been paid; and all we now ask is to go to court and allow the claimants to prove their claims.

It is a commentary upon any Congress, upon any Government, that will refuse or deny the right of any citizen to go to the courts of his country and prove up his claim against the country. I say from experience and observation that this Government is the poorest paymaster in the world. I have seen widows knocking at the door of the Committee on War Claims, asking that their just claims be paid to them, and when such claims were recommended for payment they were driven from the doors of Congress; they have gone down on the streets of this city and hawked their claims to attorneys, speculators, and purchasers upon the streets. Then these speculators and attorneys, after getting a large fee or purchasing the claim for a song, have presented the claim, and by Congress ultimately it is paid. Now, all these people ask is to go to the court. This resolution does not provide for church claims or college claims. It provides for the payment to the people that furnished the soldier provisions and supplies.

Mr. McRAE. Why is it that under the law the committee does not refer them?

Mr. COOPER of Texas. The committee can not do it because they are barred by the statute of limitations and under the law. Under the Bowman Act the court could not have jurisdiction. We propose to refer them under the Tucker Act.

Mr. McRAE. Why not under the Bowman Act?

Mr. COOPER of Texas. Because they are barred, and now have no standing under that law.

Mr. OTJEN. The law requires that they should be referred by the House and not by the committee. The Tucker Act requires the House to refer them.

Mr. McRAE. Are they not covered by the Bowman Act?

Mr. COOPER of Texas. No; they are not covered by the Bowman Act.

Mr. HENRY of Mississippi. Mr. Speaker, I would like to say a word, if the gentleman will permit me.

Mr. OTJEN. How much time have I remaining, Mr. Speaker?

The SPEAKER. Two minutes.

Mr. CANNON. Is the gentleman from Mississippi [Mr. HENRY] for or against the bill?

Mr. HENRY of Mississippi. I am for it.

Mr. CANNON. I will yield to my friend five minutes if he wants to yield it to the gentleman from Mississippi.

Mr. OTJEN. Then I yield to the gentleman from Mississippi [Mr. HENRY].

Mr. HENRY of Mississippi. Mr. Speaker, I want to say in advocacy of this resolution that from an economical standpoint,

aside from the justice of the case, it would be better that this resolution should pass. For years and years these bills have been introduced into each succeeding Congress. They are then required to be printed, with the report. They come here and stand on the Calendar, and the very next session they are reintroduced and more printing is required.

We ask now simply that these claims be sent to that court which has been provided by law for their adjudication, believing that there, if the parties can be heard, justice will be done in the premises. This will get the matter out of Congress. It will relieve us as Representatives of claims that are pressing upon us, and give a tardy justice to litigants. It will in many ways expedite the business of the House. We are anxious to get rid of these cases in this House. As has been said by my friend from Wisconsin, claims that fail to pass in the court are never resurrected here, but if they successfully pass the court as to the loyalty of the claimant and as to the amount due, it does seem to me that justice would demand that the claims be paid.

It will relieve Congress immensely to get rid of these claims—to get them out of the Committee on War Claims. Aside from that this court is the proper tribunal for hearing such claims. It is one which has been created by law for the purpose. Many of these petitioners were minors; many of them were too poor to comply with the requisition of the law. They now come to Congress and ask it to give them this relief by sending all of them to the Court of Claims that their claims may there be adjudicated.

Mr. CANNON. Mr. Speaker, it is always an embarrassing matter to play the mean man or to try to do so; and after all I do not desire to try to play the mean man by contesting any just debt that the Government owes. But let us see whether these claims are in such condition that they are entitled to consideration of the kind recommended. It is fashionable for many of us here to get up on the floor and say that the United States Government is the meanest paymaster on earth. Gentlemen talk about poor persons, and it is said that when the Government has received that which it should properly pay for it shuts the door in the face of the just creditor. Now, let us see how plain a tale will put that down.

The Government of the United States except in time of war, under peculiar conditions—and it is asserted that these claims come under those conditions—can not incur a liability until there is first an appropriation, and then the liability is a legal one and the money is ready to pay it. If, perchance, through the neglect or other fault of some official, the man entitled to payment does not get it, he can sue the Government in a court of the United States and recover judgment, and judgments are always appropriated for as a matter of course. So there is one remedy.

Another remedy is that he can go to the Treasury Department and show his legal claim against the Government. It is audited by the Treasury Department without a cent of expense to him, it is certified to Congress, and such audits are always paid by an appropriation.

Mr. COOPER of Texas. Is it not a fact that findings of the Court of Claims for the past six or eight years have not yet been paid?

Mr. CANNON. I am speaking about judgments. I will come to findings in a moment.

Mr. COOPER of Texas. Can there be in these cases more than a finding?

Mr. CANNON. A finding; that is all.

Now, these claims are alleged not to be of the class I have been speaking of, because there is, in fact, no paymaster so good as the United States Government, when people have claims against it that are incurred under ordinary conditions, because the courts are open, the Treasury Department is open, and as to the great bulk of these claims you do not have to go either to the court or to the Treasury Department, because where there is a contract the money is paid as a matter of course. I think it just that I should say this much in defense of the Government.

Now, it is alleged that the United States during the prosecution of the late civil war took from loyal citizens stores and supplies and that under the law, the loyalty of such citizens being established, and it being established that those stores and supplies were taken for the use of the Army, and their value being ascertained, it is the duty of the Government under the law to pay the parties from whom they were taken. I admit it. It is the duty of the Government under the law to make payment. Now, the Government proceeded to pay. First, we had the Southern Claims Commission right away after the war. Great numbers of claims were adjudicated by that commission, but not every claim was favorably passed upon; many were rejected; they had their day in court and failed.

There was a statute of limitations as to the time within which those claims should be presented. The statute ran. Then, so as not to oppress any citizen, the Quartermaster-General was given jurisdiction to examine these claims; and they came in by the multiplied thousands. And Uncle Sam, in order that the poor

might not be oppressed, appropriated money for the employment of agents who year after year went to Tennessee, Kentucky, Virginia, Missouri, and everywhere else in that part of the country which had been the theater of war and investigated these claims at the expense of the Government, the claimants receiving notice, and appearing, or having the power to appear, by attorneys and witnesses. And then report was made, and the Quartermaster-General adjudicated the cases and the claimants were paid.

But many claims were turned down. And there was in that case, too, a statute of limitation. Thus we had two tribunals and two statutes of limitation. Then we passed the Bowman Act, providing that any committee of this House might refer claims to the Court of Claims, which should make such findings as it deemed just. In connection with that act, also, there was a statute of limitations. The claims must be presented within a certain time, and the committees could not after that time refer claims to the court under that act. That time expired, and these claims were not referred under that act.

Then we had the Tucker Act, which required, as I understand, the action of Congress to refer claims to the court; and in connection with that act also there was a statute of limitation. After we have had these three tribunals and these three statutes of limitation these parties come now under the Tucker Act seeking to send these rejected claims (some of them, I do not know which, that have been sleeping perhaps for a generation) again to the Court of Claims; and the very gentleman in charge of the resolution assures the House that there is only about 5 per cent of them that can be passed. In the name of God, why send 95 per cent of these claims there and compel the United States Government, through its attorneys and by means of its other machinery, to defend these claims, which have been three times barred after having had their day in court? Such a proceeding looks to me like paltering with the patience of the Government, and one which ought not to be received with approval.

The statute of repose three times enacted and three times expired, and two adjudications in the courts, ought at some time to become really a statute of repose in these cases.

"Ah, but," says my friend from Tennessee, "if we can send them now to the Court of Claims, and they are turned down, we will get rid of them forever." That has not been my observation. My observation is that the claimant who wails the loudest is he who has had his day in court—in the Court of Claims and in the Supreme Court—and alleges iniquity; that the court overlooked certain facts or erred against him, or did wrong of some kind, and springs up and appeals clamorously for renewed equity.

How are we to help it? God alone knows how. I wish I had power to put some provision in the Constitution which would limit the power of Congress, where the statute of limitation has run, after one adjudication before a proper tribunal of the country—to limit the power of Congress to waive the statute of limitation under any circumstances and allow a second hearing.

Mr. COOPER of Texas. Mr. Speaker, I am not inclined to allow the statement of the gentleman from Illinois to go on record without question that these claims have been rejected after having had a day in court—

Mr. CANNON (interrupting). My friend is on the Committee on War Claims, and of course I speak only in a general way. I am satisfied that these cases have had their day before the Quartermaster-General, and have been rejected; and if they do not avail themselves of their privilege under the law, of course they are barred, and ought to be barred, by the statute of limitations.

Now, I ask him how many or which one of these claims has been before the Quartermaster-General?

Mr. COOPER of Texas. I can name one in favor of W. B. Morrow.

Mr. WILLIAMS of Mississippi. And the case of C. Phitzing, a Federal soldier, who served in an Illinois regiment, and now resides in Mississippi.

A MEMBER. And there are others.

Mr. CANNON. Has my friend from Texas examined the record of the claim he speaks of?

Mr. COOPER of Texas. I know the claim.

Mr. CANNON. But has he examined the Quartermaster's record?

Mr. COOPER of Texas. I have not. But I get my information from the Committee on War Claims. I obtain it from the records and books in that committee.

Mr. OTJEN. Mr. Speaker—

Mr. CANNON. If my friend from Wisconsin will allow me—

Mr. OTJEN. Certainly.

Mr. CANNON. For I am sure we want only to do the right thing in these cases.

Mr. OTJEN. I only wanted first to ask my friend from Illinois, who makes reference to the reports of the Court of Claims and asks why we should send them there when 95 per cent are turned down.

I will tell him. It is because they come to Congress, time after

time, believing that they have a just claim against the Government; bills are introduced and reports made, putting the Government to expense in printing and loading up our Calendar. We seek to send them to the Court of Claims, where they can be considered and examined by a properly constituted tribunal, and then if the report is in favor of the claim, that the Government will pay for it.

I do not know of any tribunal which can examine them more properly than the Court of Claims. He says every claim that has once had its day in court ought to be turned down. I think that is all right, but I think the Government ought to establish some tribunal where the people who have private claims against the Government may present them properly. Then, if they are rejected, let them be turned down, but if that tribunal allows them the Government then ought to pay them just as it pays its bonds.

I can only say that we as committeemen are attempting to do our duty in this matter when charged with the responsibility of these claims, and it is the view of the committee of which I am a member that these claims ought to go to the Court of Claims. They have been passed upon singly. It is the recommendation of that committee that they go there, and it seems to me that the House ought to give some weight to the judgment of that committee. I ask that the resolution be passed.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question being taken, on a division (demanded by Mr. CANNON) there were—ayes 75, noes 17.

Accordingly, two-thirds voting in the affirmative, the rules were suspended and the resolution was passed.

SNOW AND ICE IN THE DISTRICT OF COLUMBIA.

Mr. CANNON. Mr. Speaker, I should be glad to be recognized for a minute on an emergency matter. I ask unanimous consent for the present consideration of the bill (H. R. 12009) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, for the following objects, namely:

For cleaning snow and ice from crosswalks and gutters, under the act approved March 2, 1895, \$2,000, one half of said sum to be paid out of the revenues of the District of Columbia and the other half out of the Treasury of the United States.

For the removal of snow and ice, to be disbursed under the direction of the officer in charge of public buildings and grounds in and around Washington, D. C., \$1,000.

Mr. CANNON. I will say to the House that we had a snow-storm last night. It seems to me there can be no objection to this bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CANNON, a motion to reconsider the last vote was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON, from the Committee on Appropriations, reported the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. COOPER of Texas. Mr. Speaker, all points of order are reserved.

The SPEAKER. All points of order are reserved.

TWELFTH CENSUS.

Mr. HOPKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses.

Mr. JOHNSON of Indiana. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Illinois [Mr. HOPKINS] moves to suspend the rules and pass the bill which will be reported by the Clerk.

The bill was read, as follows:

Be it enacted, etc., That a census of the population, of deaths, and of the manufacturing, mechanical, and agricultural products of the United States shall be taken in the year 1900, and once every ten years thereafter.

SEC. 2. That there shall be established at the seat of government a Census Office, the duties of which shall be the taking of the Twelfth and succeeding censuses and the collection of other statistics, as hereinafter provided: *Provided, however,* That nothing herein contained shall be construed to establish a census bureau permanent beyond the Twelfth Census.

SEC. 3. That the Census Office shall be under charge of a Director of the Census, who shall be appointed, as soon as possible after the passage of this act, by the President, by and with the advice and consent of the Senate, who shall receive an annual salary of \$6,000; and there shall also be an Assistant Director of the Census, to be appointed in like manner, who shall be an experienced, practical statistician, and shall receive an annual salary of \$4,000.

SEC. 4. That during the absence of the Director, or when the office of Di-

rector shall become vacant, the Assistant Director shall perform the duties of the Director.

SEC. 5. That there shall also be in the Census Office, to be appointed by the Director thereof in the manner hereinafter specified, 5 chief statisticians, who shall be persons of known and tried experience in statistical work, at an annual salary of \$3,000 each; a chief clerk, 1 disbursing clerk, and 1 geographer, at an annual salary of \$2,500 each; 5 expert chiefs of division and 2 stenographers, at an annual salary of \$2,000 each; 10 clerks of class 1, 15 clerks of class 2, 20 clerks of class 3, and such number of clerks of class 1, and of clerks, copyists, computers, and skilled laborers, at salaries of not less than \$800 nor more than \$1,000 per annum, to be appointed from time to time, as may be found necessary for the proper and prompt performance of the duties herein required to be undertaken. The disbursing clerk herein provided for shall, before entering upon his duties, give bond to the Secretary of the Treasury in the sum of \$50,000, which bond shall be conditioned that the said officer shall render a true and faithful account to the proper accounting officers of the Treasury, quarterly, of all moneys and properties which shall be received by him by virtue of his office, with sureties to be approved by the Solicitor of the Treasury. Such bond shall be filed in the office of the Secretary of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

SEC. 6. That the Director of the Census may also appoint one captain of the watch, at a salary of \$840 per annum; two messengers, and such number of watchmen, assistant messengers, and laborers, at salaries of \$900 each per annum; messenger boys, at salaries of \$400 each per annum; and charwomen, at salaries of \$240 each per annum, as may be necessary to carry out the provisions of this act.

SEC. 7. That all appointments authorized by section 5 of this act shall be subject to such examination as may be prescribed by the Director of the Census, but such examination shall relate solely to the character and fitness of the applicant for the special position to which the applicant is to be assigned if selected: *Provided,* That employees in existing branches of the departmental service, under civil-service rules, whose services may be specially desired by the Director of the Census, may be transferred without examination; but not more than fifteen such transfers shall be made, and at the end of such service the employees so transferred may be eligible to appointment in the Departments without additional examination when vacancies exist. All appointments authorized by section 6 may be made without examination, and such appointees shall not be eligible for promotion without passing such examination as may be prescribed by the Director of the Census.

SEC. 8. That the collection of the information required by this act shall be made, under the direction of the Director of the Census, by supervisors, enumerators, and special agents, as hereinafter provided.

SEC. 9. That the Twelfth Census shall be restricted to inquiries relating to the population, to mortality, to the products of agriculture and of manufacturing and mechanical establishments. The schedules relating to the population shall comprehend for each inhabitant the name, age, color, sex, conjugal condition, place of birth, and place of birth of parents, whether alien or naturalized, number of years in the United States, occupation, months employed, literacy, school attendance, and ownership of farms and homes; and the Director of the Census may use his discretion as to the construction and form and number of inquiries necessary to secure information under the topics aforesaid.

The mortality schedule shall comprehend for each decedent the name, sex, color, age, conjugal condition, place of birth, and birthplace of parents, occupation, cause and date of death, and, if born within the census year, the date of birth. The form and arrangement of the schedule and the specific questions necessary to secure the information required shall be in the discretion of the Director. The schedules relating to agriculture shall comprehend the following topics: Name of occupant of each farm, color of occupant, tenure, acreage, value of farm and improvements, acreage of different products, quantity and value of products, and number and value of live stock. All questions as to quantity and value of crops shall relate to the year ending December 31 next preceding the enumeration. The specific form and division of inquiries necessary to secure information under the foregoing topics shall be in the discretion of the Director of the Census.

The schedules of inquiries relating to the products of manufacturing and mechanical establishments shall embrace the name and location of each establishment; character of organization, whether individual, cooperative, or other form; date of commencement of operations; character of business, or kind of goods manufactured; amount of capital invested; number of proprietors, firm members, copartners, or officers, and the amount of their salaries; number of employees, and the amount of their wages; quantity and cost of materials used in manufactures; amount of miscellaneous expenses; quantity and value of products; time in operation during the census year; character and quantity of power used, and character and number of machines employed. The form and subdivision of inquiries necessary to secure the information under the foregoing topics relating to manufacturing and mechanical industries shall be in the discretion of the Director of the Census.

The information collected shall relate to the fiscal year ending nearest the date set for the enumeration of the population. Whenever he shall deem it expedient, the Director of the Census may withhold the schedules for said manufacturing and mechanical statistics from the enumerators of the several subdivisions in any or all cases, and may charge the collection of these statistics upon special agents, to be employed without respect to locality. In cities or States where an official registration of deaths is maintained, the Director of the Census may, in his discretion, withhold the mortality schedule from the several enumerators within such cities or States, and may obtain the information required by this act through official records, paying therefor such sum of money as may be found necessary, not exceeding 2 cents for each death thus returned.

The Director of the Census is also authorized and directed to make suitable provision for the enumeration of the population and products of Alaska and other noncontiguous possessions of the United States, administered under the civil government thereof, for which purpose he may employ supervisors and enumerators or special agents as he may deem necessary. The only volumes that shall be prepared and published in connection with the Twelfth Census, except the special reports hereinafter provided for, shall relate to population, mortality, and vital statistics, the products of agriculture, and of manufacturing and mechanical establishments, as above mentioned, and shall be designated as and constitute the census reports, which said reports shall be published not later than the 1st day of July, 1902. The report upon population shall include a series of separate tables for each State, giving by counties the number of male persons below and above the age of 21 years, their color, whether native or foreign born, whether naturalized or not, and their literacy or illiteracy. All terms expressing weight, measure, distance, or value shall be expressed in the terms of the English language as spoken in this country.

SEC. 10. That after the completion and return of the enumeration and of the work upon the schedules relating to the products of agriculture and to manufacturing and mechanical establishments provided for in section 9 of this act, the Director of the Census is hereby authorized to collect statistics relating to the special classes, including the insane, feeble-minded, deaf, dumb, and blind; to crime, pauperism, and benevolence, including prisoners, paupers, juvenile delinquents, and inmates of benevolent and reformatory

institutions; to deaths and births in registration areas; to social statistics of cities; to public indebtedness, valuation, taxation, and expenditures; to religious bodies; to electric light and power, telephone and telegraph business; to transportation by water, express business, and street railways; to mines, mining, and minerals, and the production and value thereof, including gold, in divisions of placer and vein, and silver mines, and the number of men employed, the average daily wage, average working time and aggregate earnings in the various branches and aforesaid divisions of the mining industry: *Provided*, That the reports herein authorized relating to mines, mining, and minerals shall be published on or before July 1, A. D. 1903.

And the Director of the Census shall prepare schedules containing such interrogatories as shall in his judgment be best adapted to elicit the information required under these subjects, with such specifications, divisions, and particulars under each head as he shall deem necessary to that end. For the purpose of securing the statistics required by this section, the Director of the Census may appoint special agents when necessary, and such special agents shall receive compensation as hereinafter provided. The statistics of deaths and births provided for in this section shall be obtained from, and restricted to, the registration records of such States and municipalities as possess records affording satisfactory data in necessary detail, in the discretion of the Director, the compensation for the transcription of which shall not exceed 2 cents for each birth or death reported. The statistics of special classes, and of crime, pauperism, and benevolence specified in this section shall be restricted to institutions containing such classes: *Provided*, That at the time of the census enumeration the data relating to these classes may be collected by the enumerators of such institutions, who shall receive compensation therefor at rates not exceeding, in per capita districts, 5 cents for each name enumerated and returned. The collection of statistics authorized by this section shall be made at such time or times and in such manner as will not interfere with nor delay the rapid completion of the census reports provided for in section 9 of this act, and all reports prepared under the provisions of this section shall be designated as "Special Reports of the Census Office."

SEC. 11. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Twelfth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census to be appointed within each State or Territory and the District of Columbia and other noncontiguous possessions of the United States, administered under the civil law thereof, who shall be appointed by the President: *Provided*, That the whole number of such supervisors shall not exceed 300; *And provided further*, That wherever practicable and desirable the boundaries of the supervisors' districts shall conform to the boundaries of Congressional districts.

SEC. 12. That each supervisor of census shall be charged with the performance, within his own district, of the following duties: To consult with the Director of the Census in regard to the division of his district into subdivisions most convenient for the purpose of the enumeration, which subdivisions shall be declared and the boundaries thereof fixed by the Director of the Census; to designate to the Director suitable persons, and, with the consent of said Director, to appoint such persons as enumerators within his district, one or more for each subdivision and resident therein; but in case it shall occur in any enumeration district that no person qualified to perform and willing to undertake the duties of enumerator resides in that subdivision the supervisor may appoint any fit person to be the enumerator of that subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in event of discrepancies or deficiencies appearing in the returns for his district, to use all diligence in causing the same to be corrected and supplied; to forward to the Director of the Census the completed returns for his district in such time and manner as shall be prescribed by the said Director, and to make up and forward to the Director the accounts required for ascertaining the amount of compensation due to each enumerator in his district, which accounts shall be duly sworn to by the enumerator, and the same shall be certified as true and correct, if so found, by the supervisor, and said accounts so sworn to and certified shall be accepted by the said Director, and payment shall be made thereon by draft in favor of each enumerator.

The duties imposed upon the supervisor by this act shall be performed, in any and all particulars, in accordance with the instructions and directions of the Director of the Census: *Provided*, That if the supervisor of any district has not been appointed and qualified on the ninetieth day preceding the date fixed for the commencement of the enumeration, the Director of the Census may appoint a special agent, who shall be a resident of the same district, to perform the work of subdivision into enumeration districts: *And provided*, That any supervisor who may abandon, neglect, or improperly perform the duties required of him by this act may be removed by the Director of the Census, and any vacancy thus caused or otherwise occurring during the progress of the enumeration may be filled by the Director of the Census.

SEC. 13. That each supervisor of census shall, upon the completion of his duties to the satisfaction of the Director of the Census, receive the sum of \$125, and in addition thereto, in thickly settled districts, \$1 for each thousand or majority fraction of a thousand of the population enumerated in such district, and in sparsely settled districts, \$1.40 for each thousand or majority fraction of a thousand of the population enumerated in such district, such sums to be in full compensation for all services rendered and expenses incurred by him, except that in serious emergencies arising during the progress of the enumeration in his district or in connection with the reenumeration of any subdivision he may, in the discretion of the Director of the Census, be allowed actual and necessary traveling expenses and an allowance in lieu of subsistence not exceeding \$3 per day during his necessary absence from his usual place of residence, and that an appropriate allowance for clerk hire may be made when deemed necessary by the Director of the Census: *Provided*, That in the aggregate no supervisor shall be paid less than the sum of \$1,000. The designation of the compensation per thousand, as provided in this section, shall be made by the Director of the Census at least one month in advance of the date fixed for the commencement of the enumeration.

SEC. 14. That each enumerator shall be charged with the collection, in his subdivision, of facts and statistics required by the population schedule, and such other schedules as the Director of the Census may determine shall be used by him in connection with the census, as provided in section 9 of this act. It shall be the duty of each enumerator to visit personally each dwelling house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of each family, or of the member thereof deemed most credible and worthy of trust, or of such individual living out of a family, to obtain each and every item of information and all particulars required by this act as of date June 1st of the year in which the enumeration shall be made. And in case no person shall be found at the usual place of abode of such family, or individual living out of a family, competent to answer the inquiries made in compliance with the requirements of this act, then it shall be lawful for the enumerator to obtain the required information, as nearly as may be practicable, from the family or families or person or persons living nearest to such place of abode; and it shall be the duty of each enumerator to forward the original schedules, duly certified, to the supervisor of census of his district as his returns under the provisions of this act; and in the event of discrepancies or def-

iciencies being discovered in his said returns he shall use all diligence in correcting or supplying the same.

In case the subdivision assigned to any enumerator embrace all or any part of any incorporated borough, village, town, or city, and also other territory not included within the limits of such incorporated borough, village, town, or city, or either, it shall be the duty of the enumerator of such subdivision to clearly and plainly distinguish and separate, upon the population schedules, the inhabitants of all or any part of such borough, village, town, or city, as may be embraced in the subdivision assigned to such enumerator, from the inhabitants of the territory not included therein. No enumerator shall be deemed qualified to enter upon his duties until he has received from the supervisor of census of the district to which he belongs a commission, under his hand, authorizing him to perform the duties of an enumerator, and setting forth the boundaries of the subdivision within which such duties are to be performed by him.

SEC. 15. That the subdivision assigned to any enumerator shall not exceed 4,000 inhabitants, according to estimates based on the preceding census or other reliable information, and the boundaries of all subdivisions shall be clearly described by civil divisions, rivers, roads, public surveys, or other easily distinguished lines: *Provided*, That enumerators may be assigned for the special enumeration of institutions, when desirable, without reference to the number of inmates.

SEC. 16. That any supervisor of census may, with the approval of the Director of the Census, remove any enumerator in his district and fill the vacancy thus caused or otherwise occurring. Whenever it shall appear that any portion of the enumeration and census provided for in this act has been negligently or improperly taken, and is by reason thereof incomplete or erroneous, the Director of the Census may cause such incomplete and unsatisfactory enumeration and census to be amended or made anew under such methods as may, in his discretion, be practicable.

SEC. 17. That the Director of the Census may authorize and direct supervisors of census to employ interpreters to assist the enumerators of their respective districts in the enumeration of persons not speaking the English language. The compensation of such interpreters shall be fixed by the Director of the Census in advance, and shall not exceed \$1 per day for each day actually and necessarily employed.

SEC. 18. That the compensation of the enumerators shall be ascertained and fixed by the Director of the Census as follows: In subdivisions where he shall deem such allowance sufficient, an allowance of not less than 2 nor more than 3 cents for each living inhabitant and for each death reported; not less than 15 nor more than 20 cents for each farm, and not less than 20 nor more than 30 cents for each establishment of productive industry enumerated and returned may be given in full compensation for all services. For all other subdivisions per diem rates shall be fixed by the Director of the Census according to the difficulty of enumeration, having reference to the nature of the region to be canvassed and the density or sparseness of settlement, or other considerations pertinent thereto; but the compensation allowed to any enumerator shall not be less than \$3 nor more than \$9 per day of ten hours' actual field work each. The subdivisions to which the several rates of compensation shall apply shall be designated by the Director of the Census at least two weeks in advance of the enumeration. No claim for mileage or traveling expenses shall be allowed any enumerator in either class of subdivisions, except in extreme cases, and then only when authority has been previously granted by the Director of the Census, and the decision of the Director as to the amount due any enumerator shall be final.

SEC. 19. That the special agents appointed under the provisions of this act shall be restricted to field work only, and they shall have equal authority with the enumerators in respect to the subjects committed to them, and shall receive compensation at rates to be fixed by the Director of the Census: *Provided*, That the same shall in no case exceed \$8 per day and actual necessary traveling expenses and an allowance in lieu of subsistence not exceeding \$3 per day during their necessary absence from their usual place of residence.

SEC. 20. That no supervisor, supervisor's clerk, enumerator, interpreter, or special agent shall enter upon his duties until he has taken and subscribed to an oath or affirmation to be prescribed by the Director of the Census; and no supervisor, supervisor's clerk, enumerator, or special agent shall be accompanied by or assisted in the performance of his duties by any person not duly appointed as an officer or employee of the Census Office and to whom an oath or affirmation has not been duly administered. All supervisors, chief statisticians, chief clerk, disbursing clerk, geographer, expert chiefs of division, stenographers, supervisors' clerks, appointees provided for in section 6 of this act, interpreters, special agents, clerks in the Census Office, and enumerators provided for in this act shall be appointed or employed, and if examined, so examined, as the case may be, solely with reference to their fitness to perform the duties herein provided to be by such employee or appointee performed, and without reference to their political party affiliations.

SEC. 21. That the enumeration of the population required by this act shall commence on the 1st day of June, 1900, and on the 1st day of June of the year in which each succeeding enumeration shall be made, and be taken as of that date. And it shall be the duty of each enumerator to complete the enumeration of his district and to prepare the returns hereinbefore required to be made, and to forward the same to the supervisor of census of his district, on or before the 1st day of July in such year: *Provided*, That in any city having 8,000 inhabitants or more under the preceding census the enumeration of the population shall be taken and completed within two weeks from the 1st day of June as aforesaid.

SEC. 22. That if any person shall receive or secure to himself any fee, reward, or compensation as a consideration for the appointment or employment of any person as enumerator or clerk or other employee, or shall in any way receive or secure to himself any part of the compensation provided in this act for the services of any enumerator or clerk or other employee, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not more than \$3,000, or be imprisoned not more than one year, or both, in the discretion of the court.

SEC. 23. That any supervisor, supervisor's clerk, enumerator, interpreter, or special agent, who, after having taken and subscribed the oath of office required by this act, shall, without justifiable cause, neglect or refuse to perform the duties enjoined on him by this act, or shall, without the authority of the Director of the Census, communicate to any person not authorized to receive the same any information gained by him in the performance of his duties, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding \$500; or if he shall willfully and knowingly swear or affirm falsely he shall be deemed guilty of perjury, and upon conviction thereof shall be imprisoned not exceeding three years and be fined not exceeding \$800; or if he shall willfully and knowingly make a false certificate or a fictitious return he shall be guilty of a misdemeanor, and upon conviction of either of the last-named offenses he shall be fined not exceeding \$5,000 and be imprisoned not exceeding two years.

SEC. 24. That each and every person more than 20 years of age belonging to any family residing in any enumeration district or subdivision, and in case of the absence of the heads and other members of any such family, then any representative of such family, shall be, and each of them hereby is, required, if thereto requested by the Director, supervisor, or enumerator, to render a true account, to the best of his or her knowledge, of every person

belonging to such family in the various particulars required, and whoever shall willfully fail or refuse to render such true account shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$100. And every president, treasurer, secretary, director, agent or other officer of every corporation, and every establishment of productive industry, whether conducted as a corporate body, limited liability company, or by private individuals, from which answers to any of the schedules provided for by this act are herein required, who shall, if thereto requested by the Director, supervisor, enumerator, or special agent, willfully neglect or refuse to give true and complete answers to any inquiries authorized by this act, or shall willfully give false information, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding \$10,000, to which may be added imprisonment for a period not exceeding one year.

SEC. 25. That all fines and penalties imposed by this act may be enforced by indictment or information in any court of competent jurisdiction.

SEC. 26. That the Director of the Census may authorize the expenditure of necessary sums for the traveling expenses of the officers and employees of the Census Office and the incidental expenses essential to the carrying out of this act, including the rental of sufficient quarters in the District of Columbia and the furnishing thereof, and the fitting up and maintenance of the printing outfit in the Census Office.

SEC. 27. That the Director of the Census is hereby authorized to print and bind in the Census Office such blanks, circulars, envelopes, and other items as may be necessary; and to print, publish, and distribute from time to time bulletins and reports of the preliminary and other results of the various investigations required by this act. He is also authorized to bind, or to have bound by contract, if expedient, such schedules of the Eleventh Census as he may deem essential for preservation and necessary reference.

SEC. 28. That in case the Director of the Census deems it expedient, he may contract for the use of electrical or mechanical devices for tabulating purposes: *Provided*, That in such case due notice shall be given to the public, and no system of tabulation shall be adopted until after a practical test of its merits in competition with other systems which may be offered.

SEC. 29. That the Director of the Census is hereby authorized, whenever he may think proper, to call upon any other departments or office of the Government for information pertinent to the work herein provided for.

SEC. 30. That all mail matter, of whatever class, relative to the census and addressed to the Census Office, the Director of the Census, assistant director, chief clerk, supervisors, enumerators, or special agents, and indorsed "Official Business, Census Office," shall be transmitted free of postage, and by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage or registry fee on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject to a fine of \$30, to be prosecuted in any court of competent jurisdiction.

SEC. 31. That upon the request of the governor of any State or Territory, or the chief officer of any municipal government, the Director of the Census shall furnish such governor or municipal officer with a copy of so much of the population returns as will show the names, with the age, sex, color or race, and birthplace only of all persons enumerated within the territory in the jurisdiction of such government upon payment of the actual cost of making such copies; and the amounts so received shall be covered into the Treasury of the United States, to be placed to the credit of, and in addition to, the appropriations made for taking the census.

SEC. 32. That the Director of the Census shall provide the Census Office with a seal containing such device as he may select, and he shall file a description of such seal with an impression thereof in the office of the Secretary of State. Such seal shall remain in the custody of the Director of the Census, and shall be affixed to all certificates and attestations that may be required from the Census Office.

SEC. 33. That such records, books, and files as relate to preceding censuses, and all property of whatever nature used at the Eleventh Census, including the printing office outfit, as may be necessary in conducting the work of the Census Office and can be spared from present uses, shall be transferred to the custody and control of the Census Office created by this act. The furniture and property so transferred shall be inventoried by the proper officers of the Department of the Interior, and a copy of the inventory filed and preserved in the office of the Secretary of the Interior and of the Director of the Census.

SEC. 34. That for the organization and equipment of the Census Office to perform the preparatory work necessary to carry out the provisions of this act, the sum of \$1,000,000, to be available on the passage of this act, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to continue available until exhausted. Of said appropriation such amount as may be considered by the Director of the Census to be necessary for immediate preliminary printing may be expended under the direction of the Public Printer. And the Director of the Census shall submit to the Secretary of the Treasury, on or before October 1, 1899, further estimates for the work herein provided for.

SEC. 35. That the act entitled "An act to provide for the taking of the Eleventh and subsequent censuses," approved March 1, 1889, and all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

Mr. JOHNSON of Indiana. Mr. Speaker, I demand a second on that bill.

The SPEAKER. A second is demanded by the gentleman from Indiana.

Mr. HOPKINS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Illinois asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois and the gentleman from Indiana will be recognized to control the time.

Mr. HOPKINS. Mr. Speaker, I do not desire to take but a few minutes in speaking on the bill, which has been read, and members who are interested in the matter, of course, have followed that and are advised as to its general character. I will say, in the main we have followed the precedents in the preparation of bills for the taking of preceding censuses, but have made a number of changes that we believe will add efficiency to the work and lessen the expense as compared with the Tenth and Eleventh censuses. The chief change that is made in this bill as compared with the preceding census bills is the fact that we provide in this bill for a separate bureau.

Under preceding bills of this character the work has been done under the Department of the Interior. The experience in taking the last census especially has satisfied the members of the com-

mittee reporting this bill that much more efficient work can be secured by a separate bureau, making the Director of the Census responsible for the work. Now, in the clerical force of the Bureau for the Eleventh Census there were 93 employees. We have provided for only 62. The annual expense for the Eleventh Census for this clerical force aggregated \$163,865, and in the bill as we provide it will not exceed \$116,500, an annual saving there of over \$40,000.

In the preparation of the work we have provided for 300 supervisors, or at least that number can be used. I will state to the members of the House that for the Tenth Census there were only 150 supervisors and for the Eleventh 175. A great many members expressed the wish that in the preparation of the bill it could be so arranged that there would be a supervisor for each Congressional district. We found on investigation that this could not be done consistently with efficient work, the purpose in taking the census being to conform as closely as can be to the local conditions. Now, I understand, to illustrate, that the State of Massachusetts has a law by which only one supervisor is desired or required for this work. We leave it discretionary with the Director of the Census to determine how large or small each division shall be.

I know that in large cities, like Chicago, New York, Philadelphia, and other places, the work of taking the census will be much more efficiently done under one supervisor than one for each Congressional district. Three hundred supervisors will enable the Director of the Census to conform these districts to the Congressional districts wherever it shall be found practicable or desirable.

Another change that we have made, which I think will commend itself to the Members of the House and ought to commend itself to the Senators and general public, is this: The supervisors are to be named by the President of the United States. In the previous census bills these supervisors have been appointed by the President and confirmed by the Senate. We recommend that the supervisors be named by the President, on the recommendation of the Director of the Census.

On examination of the question we find that they can be appointed by the President without confirmation by the Senate, and it is especially desirable if the Director of the Census divides the supervisors' districts so as to conform as near as may be with the Congressional districts that the power of appointment rest with the President.

Now, the enumerators are to be appointed by the supervisor, or recommended by him and appointed by the Director, and taken from the locality in which they live.

These districts are divided into districts of population not to exceed 4,000 inhabitants. My judgment is that these districts will be divided into smaller population districts than this for the reason that the bill requires that the work of enumeration in cities of 8,000 and over shall be done in fifteen days from the date of the commencement of the work, and in rural districts in thirty days from the date of the commencement of the work.

Gentlemen of the House can readily see that if the work is to be done in this limited time, that the enumeration districts should be subdivided so that the enumerator can do his work accurately and well within the time limited.

Mr. HENDERSON. Can the gentleman give any estimate of what the compensation of the enumerators will amount to on the basis of his subdivision?

Mr. HOPKINS. From \$125 to \$175 each.

Mr. SHAFROTH. I notice in the tenth section of this bill there is a provision concerning the collection of data as to public indebtedness. Is there any objection to also inserting in that a provision for the collection of data as to the private indebtedness and mortgage indebtedness? It seems to me that those are valuable statistics and ought to be known, and inasmuch as each individual is to be seen in the taking of the census, it is only an additional question, which would involve no great additional expense. I refer to line 6, page 8, of the bill. It would be simply enlarging a little the scope of the inquiry.

Mr. HOPKINS. I will say that that matter was considered by the committee, and the gentleman will see, as all other members of the House will by examining the bill, that section 9 relates to five great divisions under which the work is to be done; that is, population, mortality, manufacturing and mechanical industries, and agricultural products. It was thought wise by the committee, in following the example of the Senate, to limit the number of subjects, so that the work that is done under the census bill can be given to the public within the time when the statistics will be of value.

Mr. DALZELL. I would like to ask the gentleman a question right there.

Mr. SHAFROTH. Please let me complete my inquiry.

Mr. HOPKINS. I will state further that in the Tenth Census, owing to the large number of subjects that were placed under the direction of the Superintendent of the Census, it was nine

years and four months before the last volume was published. The figures had become obsolete, and were of no value to statisticians or scientific men in this country or abroad, when they were finally published.

In the Eleventh Census it was attempted to restrict this inquiry, but it was found that it took eight years and four months before the last volume was published, and great complaint has been made against the work because of this fact. We are told that in view of the enormous amount of work that was placed on the Superintendent of the Census through the investigation of these various subjects, it was a physical impossibility to procure the publication of these works at an earlier date.

Mr. SHAFROTH. Is it not a fact that in the Tenth and Eleventh censuses that report concerning the amount of farm mortgages that existed was one of the earliest reports that was published, and was published in less than one year from the time of taking the census?

Mr. HOPKINS. I will say to the gentleman from Colorado that the farm mortgages is one of the subjects that has been severely criticised by people generally and by statisticians, and that great expense was incurred in the taking of it. In the last census that subject alone cost the Government more than a million of dollars, and the work was not satisfactory, not because of any lack of skill or ability in the Census Bureau, but on account of the subject itself.

This is a matter that changes so rapidly that the data when it is obtained, and by the time it can be published, is of no value. If the gentleman has followed the recording of mortgages in his own State, he can see how rapidly the condition changes, and that it will be impossible to give statistics upon that subject which will be of any value. Therefore the committee thought, as the Senate committee thought, that it would be unwise to include that in the bill.

Mr. DALZELL. Now, if the gentleman will allow me, if there was nothing else in the bill than what is contained in section 9, I take it that no statistics would be gathered as to mines and mining.

Mr. HOPKINS. There would not.

Mr. DALZELL. I find in section 10 that there is a provision made for mines and mining and minerals. Does not my colleague think the two sections are inconsistent?

Mr. HOPKINS. They are not. The five subdivisions, where it is important under the Constitution to obtain early information, are embodied in section 9 of the bill. The gentleman will observe the bill requires the Director of the Census to procure that information and publish it in due form within two years from the time when this information is taken by the enumerators.

Now, by getting it within that time this information will be of value to statisticians and scientific men the world over.

In order to meet just the point suggested by the gentleman from Pennsylvania [Mr. DALZELL], we have embodied in the bill section 10, which provides for much more careful, accurate, and detailed information about a variety of subjects, including mines and mining, than we have had heretofore. It was our purpose at first to leave out any provision of that kind, because in the Geological Department of the Government a large amount of that information is obtained; but the Director of that Department, in a letter to the committee, stated that it would be important to embody such a provision in the bill and to procure that information after the census proper, as provided for in section 9, has been taken.

Mr. DALZELL. I find that in section 10, which relates to statistics as to mines and mining and other important matters, the language is that "the Director of the Census is hereby authorized." Is it the intention of the committee to leave this matter to the discretion of the Director of the Census? If not, why is not the word "directed" used, as in other cases?

Mr. HOPKINS. The intention is to make the provision directory, and I think it is so.

Mr. DALZELL. Let me say to the gentleman that in my judgment there can be no satisfactory statistics covering the subject of manufacturing and mechanical arts unless mining statistics be given in connection with them, and as a necessary part of them.

Mr. HOPKINS. This subject was discussed not only by the Senate committee, but by the committee of the House. There was at first a division of sentiment as to whether statistics in relation to mines and mining should be included in section 9, as suggested by the gentleman from Pennsylvania. We are getting such statistics now from the Geological Department; and it was at first thought that to make such an addition to section 9 might tend to delay the report of the census on population, mortality, and these other matters which are of prime importance. But under section 10 mines and mining will be as thoroughly investigated and the statistics as accurately and elaborately prepared as they would be if the subject were included in section 9; but the compilation of such statistics will be deferred until the more important matters have been gathered and reported by the Director of the Census to the public.

Mr. STEELE. In taking the census heretofore, had the Director unlimited authority, as he will have under this bill, to employ whatever labor or clerical force may be necessary?

Mr. HOPKINS. In previous census bills the Director of the Census was given the same authority, so far as the selection of his force was concerned, as is given here.

Mr. STEELE. Under this bill his authority is absolutely unlimited as to the number and cost.

Mr. HOPKINS. That must necessarily be the case. Such has been the provision in every bill that has ever been reported on this subject.

Mr. KELLEY. Is it not true that when the Eleventh Census was taken there was a greater public demand for statistics pertaining to farm indebtedness and indebtedness in general than for any other figures which were put out?

Mr. HOPKINS. I do not agree that such was the fact.

Mr. KELLEY. The gentleman stated a moment ago, in reply to a remark of the gentleman from Colorado [Mr. SHAFROTH], that there was such a demand for that portion of the statistics that they were first put out.

Mr. HOPKINS. I did not say that they were first put out; the gentleman from Colorado said that.

Mr. KELLEY. Yes; the gentleman from Colorado said so. But the gentleman from Illinois stated that those statistics were put out in response to a great public demand. Now, it seems to me that statistics of this class, for which it is very apparent there is and has been a great public demand, should not be omitted.

Mr. HOPKINS. As I have already stated to members of the House, the result of the collection of those statistics was so unsatisfactory, and the time taken in gathering them and the expense connected therewith so great, that it has not been thought wise to embody in this bill any provision for the collection of such statistics.

Mr. KELLEY. Is the gentleman able to give us an estimate of the time in which the statistics in general can be put out with that portion eliminated?

Mr. HOPKINS. No; I can not give the time now. The only trouble was that such a mass of information was required from the enumerators that their returns were not accurate, and in many cases had to be taken again. In connection with the Eleventh Census 250 questions were prepared in a schedule by the Director of the Census and placed in the hands of the enumerators, each of whom was obliged to collect in his locality the information covered by those questions. In cities of 8,000 population and over he was required to do this work within fifteen days, and in rural districts in thirty days. Under such circumstances it will readily be seen that accurate and desirable information, such as should be embodied in reports of this character, could not be collected.

Mr. KELLEY. Would the gentleman agree to an amendment covering statistics of this kind and providing that they be gathered in a proper manner?

Mr. HOPKINS. I am sorry to say that I can not. This is a matter which has been carefully considered by the committee, and after consultation with members outside and with Senators, we have agreed that provision for that class of statistics ought not to be embodied in the bill.

Mr. SHAFROTH. Is the gentleman willing that an amendment of that character be voted upon?

Mr. HOPKINS. I have just said I am not.

Mr. LACEY. I wish to ask the chairman of the committee a question as to the parliamentary status of this bill. I find that the Senate has passed a census bill. This bill in its present form is, of course, a House bill. The gentleman did not move to suspend the rules and strike out all after the enacting clause of the Senate bill and substitute for it the bill now pending before the House, but his motion was to pass this as an independent House bill. Now, will not, in that event, the situation be this: This House will have passed a bill, H. R. 11815, and the Senate another bill, to wit, Senate bill No. 4545, and there is no basis for a conference between the two Houses upon the differences in these respective bills?

Ought not the motion that he made be amended, or should it not have been composed, in other words, in this form—to strike out all after the enacting clause of the Senate bill and substitute the House bill, so that the matter might then go into conference by the joint action of the two Houses?

Mr. HOPKINS. Either motion would have accomplished the purpose. But our hope is that the Senate will pass the House bill as we have reported it, and we have prepared it with a great deal of care and consideration. We reported it, in fact, with that in view.

Now, Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. JOHNSON of Indiana. Mr. Speaker, I will yield to my friend from Illinois some portion of the time allotted to me if he desires to consume further time in the discussion of this matter.

Mr. Speaker, from what the gentleman from Illinois has stated in unfolding this measure before the House for its consideration, as well as from the character of the interrogatories propounded to him by gentlemen with regard to it, it is quite apparent that this bill ought not to pass in a hurried manner, but that it should be considered with due deliberation on some other occasion when there is ample opportunity to investigate all of its provisions and make such amendments and modifications as may be found necessary.

I think, however, that I know the temper of the House. It is apparent that the measure will pass, and that nothing which I can say, or which any other member on the floor of the House can say, for that matter, will prevent its passage under the motion submitted by the gentleman. I desire, however, to enter my protest against it, and to present briefly some of my reasons for such action.

In my humble opinion, sir, the bill is a step backward. It is a marked retrogression. To pass it in this form is simply to disregard the advice and recommendations of those persons who are most capable, from long experience, of giving us information upon the subject.

Mr. Robert P. Porter, the Superintendent of the Eleventh Census Bureau, after severing his connection with that office, complained bitterly that much of his time while at the head of the Bureau had been taken up in attending to the demands made upon him by Senators and Representatives for places for their constituents. He also declared that in his opinion the Census Office should be made a permanent institution of the Government, and that its operations should be placed entirely under the control of the civil service. That, in his judgment, was the only way in which the functions of taking the census could be properly and efficiently performed.

Mr. Carroll D. Wright, who succeeded Mr. Porter in his office, declared positively, and I think that we all have reasons to know his statement to be true, that the last census was an exceedingly unreliable and was also a very extravagant piece of work. He said that in his opinion it had cost the taxpayers of the United States \$2,000,000 more than it would have cost them if it had been taken under proper civil-service regulations.

He further declared that during his administration of the office, near its close and at a time when the public service required that the force should be curtailed in the interest of economy, he was compelled by the importunities of Senators and Representatives to increase the number of the employees under his charge nearly 400 persons, not one of whom was necessary for the work of the Bureau, but each one of whom had, of course, to be paid by the people of the United States.

Now, Mr. Speaker, the census is a very important piece of work. By it we estimate our growth, our progress, and our resources as compared with that of other nations. It is the finger board along the highway which the nation is traversing to indicate the degree of our advancement. It is the very foundation upon which all legislation is more or less based and upon which our business calculations and our business superstructures are often erected. The American Statistical Association and the American Economic Association and various other business organizations and interests of the country, who appreciate the importance of taking the census accurately, are asking that this measure in its present form shall not be passed, but that the census shall be placed under the control of civil-service regulations. How important it is, sir, that this work shall be put into efficient hands; that it shall be accurately performed. Of what use will it be if it is done imperfectly?

I know it is provided in this measure that the Director of the Census may, if he sees proper—and it seems to be largely a matter of discretion with him, as I read the terms of the bill—have what are known as pass examinations, or departmental examinations, with a view to determining the competency of those who seek employment in the Bureau. Mr. Speaker, we all know that pass examinations as administered in the Government service have always been a sham and a fraud. They have not secured the services of the most efficient employees for the Government. They have been invariably abused, and they have interposed no successful barrier to those who sought to use the public offices of the country to reward their political friends. Under it some capable employees will get into the service, and many incompetent ones will be employed.

This measure, sir, if passed, is nothing more nor less than a declaration to those who have graduated from the common schools of the country, to the sons of the farmers, to the sons of the laborers, that unless they can get the support of some public man, unless they can have a pull upon some Senator or Congressman, they shall have no opportunity to submit to this pass examination, to demonstrate their superiority for work in the Census Office, and to receive at the hands of its Director a place therein as the reward of their merit. It is a declaration here that we will not have competitive examinations open to young men of all political beliefs in all sections of the country, to the end that the persons who have the best qualifications may have the places, and that the

Government may get the services of those best equipped for the work, but it seeks, by restricting the number of those who may apply for place to those that have influence enough to get the consent of a Senator or Congressman to stand this departmental examination, to establish the very thing which the friends of the spoils system claim is represented by the civil-service system, to wit, an undemocratic monopoly of the offices of the country.

Now, Mr. Speaker, we are on the verge of another political campaign in this country. It is hardly two years off. The influences that make for a corrupt ballot are already strong enough for us to contend with. This measure proposes to augment those difficulties rather than to lessen them. Every political party which can control this Bureau is now invited by this bill to step in and offer in advance bribes to men to support the policy of that party. Shall the offices which belong to the people be thus used against them? Shall they be parceled out as personal perquisites of public men? Are the deserving but poor and uninfluential citizens to be wholly thrust aside? Can we afford to inaugurate such a system as this? So far as I am concerned, I am not willing to agree to it, and desire to express my dissent by casting my vote against this bill.

I have no doubt, sir, that this or some similar measure divorcing the census from the protection of the civil-service law and turning it over to the base uses of those who desire to prostitute office for personal and party purposes, rather than to administer it for the welfare of the entire people, will pass Congress. When it does, the President of the United States will be called upon either to approve of it or to disapprove of it. The President has always professed to be a friend of the civil service. His utterances in Congress, when he was a member of this House, and his votes here have justified the belief that he is such a friend. To his honor be it said that he stood like a wall of adamant against gentlemen on the floor of this body who sought, in a previous session of this Congress, to attack and destroy the civil-service law.

When this bill comes to him for his consideration, I entertain the hope, in common with many other people in this country, that he will interpose against it a Presidential veto. The eyes of many people of this nation will be turned hopefully in his direction. If he sees fit to exercise the veto power, in my humble opinion it will result only in good to the country, in advantage to all of our citizens. If, upon the other hand, he sees fit to give it his approval—and he has, of course, the unquestioned right to do so—I can see no remedy except to submit to its unwise provisions and await the time when the quickened intelligence and conscience of the people will see the necessity, in a matter so important as the taking of a census, of divorcing it from all inaccuracy, from all evil, and of placing it upon a firm and reliable foundation, so that it will be regarded by all classes as entirely accurate and as a safe basis upon which to construct their calculations.

Mr. Speaker, I reserve the balance of my time.

Mr. SHAFROTH. Will the gentleman yield three minutes to me?

Mr. JOHNSON of Indiana. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has ten minutes remaining. Mr. JOHNSON of Indiana. How much time does the gentleman from Colorado require?

Mr. SHAFROTH. Three minutes is all the time I care for.

Mr. JOHNSON of Indiana. I desire to reserve five minutes for myself. I do not know that I shall utilize it. Does the gentleman from Illinois [Mr. HOPKINS] desire some additional time?

Mr. HOPKINS. I should like a little, but I shall ask unanimous consent for it.

Mr. JOHNSON of Indiana. Mr. Speaker, I will yield three minutes to the gentleman from Colorado.

Mr. SHAFROTH. Mr. Speaker, I have no doubt that there are many provisions of this bill that are worthy of support. But, Mr. Speaker, it is not a character of bill that ought to be presented to the House under a suspension of the rules. In the present status of this bill no amendment whatever can be offered to it, and it must be voted for exactly as the committee has presented it, or else it must be defeated. There are some very important omissions, in my judgment, in this bill. It ought to be considered either in Committee of the Whole or before the House, where amendments could be offered and voted on.

Mr. HOPKINS. Will the gentleman allow me just there? Does not the language of section 9, at the bottom of page 4, cover practically what the gentleman desires? It says "ownership of farms and homes."

Mr. SHAFROTH. I think not.

Mr. HOPKINS. That will indicate who own the farms and who are the tenants.

Mr. SHAFROTH. But that does not indicate the extent of the mortgage that may be against them; and it seems to me that an amendment ought to be made by putting in, after the word "public," "and private," so that it would be public and private and mortgage indebtedness. That would at least be one point that would be improved by an amendment.

Mr. HOPKINS. The gentleman ought to understand that

private indebtedness is impossible to get. You can not get any statistics that would be reliable. It would be regarded as a piece of impertinence by a great majority of men.

Mr. SHAFROTH. They could be made to answer, just like the other questions.

A MEMBER. We could do it again.

Mr. SHAFROTH. But, Mr. Speaker, it seems to me that the very fact that the members of this House have had no opportunity to examine this bill—and yet I have suggested an amendment which is replied to by the gentleman that he will not consent that the House shall even vote upon it—is sufficient reason why we should not pass the bill under suspension of the rules. [Applause.] We ought to have this bill before the Committee of the Whole House on the state of the Union or before the House itself, and then when an amendment should be offered it could be voted upon, and if a majority of this House say that such a matter as I have suggested ought not to be in it, then they can vote it down and I will heartily support the bill. There is no danger that the bill will not be passed.

Mr. STEELE. I would like to ask the gentleman what advantage it will be?

Mr. SHAFROTH. I can not yield to the gentleman. I have only three minutes. But, Mr. Speaker, when we take into consideration the number of defects that would appear if the bill were read by sections, when we take into consideration there is no opportunity given to offer amendments and have the amendments voted upon, it seems to me that the bill ought to be considered where that can be done and the bill perfected. [Applause.]

Mr. STEELE. Now the gentleman can tell what advantage there is to be gained by enumerating the private mortgages.

Mr. SHAFROTH. The advantage would be like all other information. It is of as considerable importance to know the condition of the people as to know how much the indebtedness is. It is as much so as collecting information about the public indebtedness; in fact, private indebtedness is harder to ascertain.

Mr. STEELE. I would say so.

Mr. SHAFROTH. And for that reason only once in ten times can you get even an approximate idea of it. It could be done by inserting a question in the interrogatories. It would not add one iota to the expense of taking the census should we include this one item.

Mr. SIMPSON. I would suggest to my friend that it was the only information gained in taking the Eleventh Census that the people cared for.

Mr. STEELE. Perhaps it was particularly cared for by my Populist friends.

Mr. JOHNSON of Indiana. Mr. Speaker, the gentleman from Illinois has asked me for the balance of my time. With the understanding that he uses it himself, I yield the balance of my time to him, which I understand to be seven minutes.

The SPEAKER. The gentleman has five minutes remaining.

Mr. HOPKINS. Mr. Speaker, I do not desire to take that time. I desire only to say to the gentleman from Colorado that the subject he desires to inject in this bill is a matter that would result in no good to anybody. As gentlemen have said around me, inquiries of that character would be regarded as a matter of impertinence, and if the information were made public it would ruin half the business men of the country. It looks like interfering with private affairs, and it is not—

Mr. KELLEY. Mr. Speaker—

Mr. HOPKINS. And it is not a fair subject of legislation.

The SPEAKER. The gentleman from Illinois declines to yield.

Mr. KELLEY. Has he declined or has the Speaker declined?

The SPEAKER. Does the gentleman from Illinois yield?

Mr. HOPKINS. I decline to yield. There has never been an investigation in any previous bill of this character.

Now, Mr. Speaker, just a word in reply to my friend from Indiana. I think the records of this House will show that my vote has always been cast in favor of civil-service reform where that matter has been properly before the House.

Mr. MARSH. Will my colleague yield for a question?

Mr. HOPKINS. I will yield.

Mr. MARSH. I desire to ask the gentleman whether this census bill is designed to cover the people of the Philippine Islands? [Laughter.]

Mr. HOPKINS. In answer to the gentleman from Indiana [Mr. JOHNSON], I desire to say that the Committee on Census gave a hearing to the National Civil Service League, and in the investigation that was had they admitted that the enumerators—the most numerous class of employees under this bill—could not be selected under civil-service rules. The same argument that excludes them from the civil service applies equally to the supervisors, so it is only the clerical force in the office at Washington that would come under the civil-service law.

Now, we believe from the investigation that we have made that section 7 of the bill provides for an examination that will give as efficient a clerical force to the Director of the Census in the dis-

charge of his duty as it would be possible to secure from the Civil Service Commission. We find the trouble in the previous census did not exist so much from the fact that they were selected on noncompetitive examination as from the fact that the Bureau was under the control of the Interior Department.

When the Bureau was established rules were prepared by the Secretary of the Interior, under the advice of the Director of the Census, by which efficient help from all Departments was secured; but when there was a change of Administration and a new Secretary of the Interior came from the State of Georgia, who was hostile to the civil-service law, he abrogated all rules and all law governing this force and let into the service a lot of incompetents, and they are the ones that led Mr. Wright to indulge in the remark that has been quoted by the gentleman from Indiana [Mr. JOHNSON]. Now, I will say to him that by establishing a separate bureau, and making the Director of the Census responsible for the work, no such condition of affairs can exist as the one that was commented upon by him as existing in the Eleventh Census.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. HOPKINS. Mr. Speaker, the gentleman from Iowa and a number of other gentlemen think that, in view of the fact that the close of this session is to be on the 4th of March, instead of having a separate bill it would be better to consider the Senate bill (S. 4545), and I move to strike out all after the enacting clause in that bill and substitute this bill, so as to put this question into conference at once. I therefore ask unanimous consent that this be done.

Mr. KELLEY. I object.

Mr. HOPKINS. Then, Mr. Speaker, I will change my motion, and, instead of asking unanimous consent, I move to suspend the rules, strike out all after the enacting clause in Senate bill 4545, and substitute House bill 11815.

Mr. BROSIUS. Are the bills identical? We do not know what is in the Senate bill.

Mr. HOPKINS. I move to strike out all after the enacting clause in the Senate bill and substitute the House bill.

Mr. HENDERSON. Make the House bill an amendment to the Senate bill?

Mr. HOPKINS. Yes; the motion makes the House bill an amendment.

Mr. DOCKERY. Then the gentleman withdraws his first motion?

Mr. HOPKINS. Yes.

The SPEAKER. That will require a new procedure.

Mr. KELLEY. Has the bill been reported by a committee?

Mr. HOPKINS. Yes.

Mr. MCRAE. On that last motion by the gentleman from Illinois [Mr. HOPKINS], Mr. Speaker, I demand a second.

Mr. BROSIUS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROSIUS. It seems to me this is in the nature of an amendment, and the question is whether it is permissible under the rules to amend the bill.

Mr. HOPKINS. Well, Mr. Speaker, I will withdraw my motion in view of the fact that objection was made to unanimous consent, and I ask for a vote on the bill.

The SPEAKER. The question is on suspending the rules and passing the House bill, which has been read to the House.

The question was taken; and the Chair stated that he was in doubt.

The House divided; and there were—ayes 147, noes 42.

So (two-thirds having voted in the affirmative) the rules were suspended and the bill was passed.

ANTI-CONTRACT LABOR LAWS.

Mr. GARDNER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act approved February 26, 1885, "to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories and the District of Columbia," be, and the same is hereby, extended to the Hawaiian Islands.

With the following committee amendments:

In line 7, after the word Columbia, insert "and the acts amendatory thereof and supplemental thereto;" and in line 8 strike out the word "is" and insert "are."

Mr. KNOX. I demand a second on the motion to suspend the rules.

Mr. GARDNER. I ask unanimous consent that a second be considered as ordered.

There was no objection.

Mr. KNOX. Mr. Speaker, when this bill to extend the contract-labor laws to Hawaii was offered under a proposition for unanimous consent, I objected to it. When the same bill was again offered as an amendment to a bill from the Committee on the Merchant Marine and Fisheries, I raised the point of order that it was not germane, which point was sustained by the Speaker. I

rise at this time, however, not for the purpose of opposing the bill, but to state that those objections on my part were not made because I was not in hearty sympathy with the alien contract-labor laws of the United States, nor because I am not in hearty sympathy with the extension of those laws to all the territories that the United States has acquired, or which may, by any chance, be hereafter annexed to the United States. I believe that among the most difficult problems to arise in relation to these possessions will be the maintenance of the status of American laborers in the United States by the prevention of the importation into the United States of the products of cheap labor in those various islands.

My objection was that there is already before the House a bill reported by the Committee on Territories which extends entire the laws of the United States to the Hawaiian Islands, and creates an American Territory of those islands, and because I was desirous that that bill should receive consideration and be passed at this session of Congress. I felt that Hawaii is now a Territory of the United States and is entitled to a government to be created by the United States; that the people of those islands should have the benefit of all the laws of the United States. I was also opposed to the bill because I believed that this fragmentary method of legislation in regard to Hawaii is vicious in principle and will be found impracticable in operation. I believe that this measure, if passed, will not accomplish its purpose, for the reason that we have now no courts in Hawaii with jurisdiction over this subject. In my opinion it is far more important that a district court with the jurisdiction of a circuit court should be created there than that any other measure should now be passed with reference to the Hawaiian Islands.

Mr. TAWNEY. Will the gentleman kindly state to the House what the provisions of this bill are?

Mr. KNOX. It proposes to extend the alien contract-labor law, the law of 1885 and the amendments of that law, to the Hawaiian Islands.

Mr. HENDERSON. The real purpose is to keep Japanese labor out of Hawaii?

Mr. KNOX. Undoubtedly; and in its purpose it is an exceedingly meritorious bill.

Mr. ROBINSON of Indiana. Does the gentleman recognize the fact that by reason of his objection several thousands of those cheap laborers have come in at the ports of Hawaii?

Mr. KNOX. I do not recognize any such fact.

Mr. ROBINSON of Indiana. That is the current report of the newspapers.

Mr. KNOX. I have authentic information from the Treasury Department on that point. The contracts under which those laborers entered were made long before this bill was presented by the distinguished chairman of the Labor Committee of this House.

Already, Mr. Speaker, in the Hawaiian Islands, the laws of the United States, laws necessary for the proper government of the people there, can not be enforced because we have not a court of competent jurisdiction there. Already there are ships in the harbor of Honolulu which have been libeled, and the process of libel already pending can not be carried out because there is no district court there and no court with the jurisdiction of the circuit court of the United States. I think that those islands, having become a part of our territory, the people there are entitled to the protection of the laws of the United States, and I wish to say that if the bill providing for that object should fail, it will not be because the committee that has had the matter in charge did not give it prompt and careful attention, and did not report the bill summarily and, as I conceive, in time for action. With this statement I say again I have no further opposition to offer to this bill.

Mr. GARDNER. Mr. Speaker, the facts as officially ascertained, which make it undesirable to delay longer such legislation as this, are that 3,000 contract laborers are already known to have reached the Hawaiian Islands since the annexation, and that the very day following the passage of the resolutions of annexation contracts for the importation of only a few less than 6,000 laborers were approved by the government, and that some 3,000 of those laborers are to be brought in during the first quarter of 1899.

The gentleman from Massachusetts [Mr. KNOX] is unfair when he says that these contracts were made before the bill was introduced. The making of the contracts was the cause of the introduction of the bill. There is nobody in the United States, so far as I know, that wants the door left open for the importation of these Japanese coolies, save only the gentleman from Massachusetts, and he wants them for a special purpose—to wit, to assist the House of Representatives in passing a bill from the Committee on Territories.

Mr. KNOX. Mr. Speaker, I think the gentleman from New Jersey is exceedingly unfair in that statement. I have specially stated that I had no possible opposition to the passage of the bill, and was heartily in favor of the principles involved; that the bill should pass upon its merits; and if the bill reported by the Committee on the Territories is to fail, then I am in favor of the passage of this bill at the present time. It is unjust, therefore, to say

that I desired to permit the importation of alien contract laborers into Hawaii through any opposition I had to this bill.

The gentleman also made a misstatement of my answer to the gentleman's question on the subject of contracts made before the passage of the bill. I stated the contracts were made before the bill was considered and reported to the House by the committee.

Mr. McRAE. Mr. Speaker, I desire a word only before the vote is taken upon the motion of the gentleman from New Jersey. I introduced this and thought it important for us to stop the importation of contract labor.

I wish to indorse what the gentleman from New Jersey has said about the necessity, and to thank him for the promptness with which he secured the report of the bill. Every labor organization in the country asks for the passage of this bill. The laws sought to be extended are applicable at present to the United States, and it seems to be exceedingly unfair to delay the passage of this bill to await the consideration of a code of laws for the control of the Hawaiian Islands.

However much we may want to consider the bill reported from the Committee on Territories by the gentleman from Massachusetts, to which reference has been made, that bill will probably not be considered by both branches during the present Congress, and another year will then elapse before anything is done, and 10,000 more people will be carried under the labor-contract laws of Hawaii contrary to the principle and spirit of the law which we have enacted for this country. It is an outrage to permit the present system of labor thus to continue.

This is one of the laws the commission which was sent by Congress to those islands recommended to be repealed; and it was urged and is urged in the report of the committee that it ought to be repealed. I hope therefore that the motion of the gentleman from New Jersey will prevail and the bill will be passed at once.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

ARMY NURSES.

Mr. GRIFFIN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11770) to provide for the employment of women nurses in military hospitals of the Army, with the amendments of the Committee on Military Affairs.

Mr. FISCHER. On that I demand a second.

The SPEAKER. The bill will first be read.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act women nurses in the proportion of not more than one-half of 1 per cent of the number of enlisted men in the United States Army shall be employed in military hospitals, and shall constitute the woman's nursing service of the Army.

SEC. 2. That there shall be a commission known as the nursing service commission, composed of the Secretary of War, the General Commanding the Army, the Adjutant-General, and the Surgeon-General, ex-officio, and three women appointed by the President, who shall be nurses, graduates of a general hospital training school giving a course of instruction lasting not less than two years; and the terms of office of the first three so appointed under the provisions of this act shall be as follows: One for two years, one for three years, and one for four years, and all subsequent appointments shall be for the term of four years, and that this commission shall, subject to the provisions of this act, have general charge of the nursing service.

SEC. 3. That there shall be a superintendent of women nurses in the Army, who shall be a woman graduated from a general hospital training school for nurses having a course of instruction lasting not less than two years, and who shall be appointed by the President for a term of four years, and confirmed by the Senate, from candidates nominated by the commission. The superintendent shall be subject to the orders of the Surgeon-General.

SEC. 4. That the nurses in the service shall be divided into chiefs of nurses, head nurses, and assistant nurses, all of whom shall be graduates of general hospital training schools having courses of instruction lasting not less than two years, and shall present credentials and pass an examination to the satisfaction of the commission: *Provided*, That no chief nurse shall be appointed in hospitals having but one ward. Each chief of nurses shall be subject to the orders of and responsible to the surgeon in charge of the hospital for the nursing care of patients. Any nurse may be suspended by the chief of nurses, or by the surgeon in charge of the hospital through the chief of nurses, for incompetency or misconduct, and may be discharged by the Surgeon-General and the superintendent of nurses.

SEC. 5. That all further rules and regulations regarding admission to and conduct of the nursing service shall be formulated by the superintendent of nurses, subject to the approval of the commission: *Provided*, That all such nurses, before being so appointed, shall pass a satisfactory moral, professional, and physical examination. Ward masters and hospital corps men, when detailed for service in hospital wards, shall be subject to these rules and regulations.

SEC. 6. That the salary of each woman member of the commission shall be \$6 per day when in actual service. The salary of the superintendent of nurses shall be \$2,000 per annum. She shall be provided with suitable office facilities, and not to exceed two clerks for the transaction of business. The salary of chiefs of nurses shall be \$75 per month. The salary of head nurses shall be \$50 per month. The salary of assistant nurses shall be \$40 per month: *Provided*, That in addition to the salaries above provided each woman member of the commission, the superintendent of nurses, and each nurse in the woman's nursing service shall be entitled to transportation and necessary expenses when traveling on public business: *And provided further*, That the nurses herein provided for, except the superintendent of nurses, shall be entitled to subsistence, uniforms, laundry, medical attendance, nursing, and medicines during illness.

SEC. 7. That all acts or parts of acts inconsistent with this act are hereby repealed.

Mr. GRIFFIN. I ask unanimous consent that a second may be considered as ordered.

Mr. FISCHER. Before that I want to know if the gentleman will consent, so far as he is concerned, to the adoption of an amendment, which I understand must be presented by unanimous consent now in order to find a place in the bill?

Mr. GRIFFIN. I have no objection to the amendment I understand the gentleman wishes to offer.

Mr. FISCHER. With that understanding, I will not insist upon a second.

Mr. STEELE. I demand a second on the bill.

Mr. FISCHER. But I think it proper that the proposed amendment should be read to the House.

Mr. STEELE. I demand a second without any condition.

The SPEAKER. A second is demanded, and the Chair will appoint the gentleman from Wisconsin [Mr. GRIFFIN] and the gentleman from Indiana [Mr. STEELE] as tellers.

Mr. STEELE. I have no objection to a second being considered as ordered.

The SPEAKER. The Chair will submit the request. Is there objection to the suggestion that a second be considered as ordered?

Mr. FISCHER. Now I will renew the request I made a few moments ago under a conditional arrangement with the gentleman from Wisconsin. If it be granted, I will not insist upon a second.

The SPEAKER. The gentleman from New York reserves his right to object to the second being ordered, and proposes the following amendment, which the Clerk will read.

The Clerk read as follows:

Provided, however, That in time of war the Secretary of War may avail himself of the services of duly qualified sisters of the Red Cross Society as voluntary nurses.

Mr. GRIFFIN. Will the gentleman please indicate at what part of the bill he desires to insert the amendment?

Mr. FISCHER. I should say after line 11.

Mr. STEELE. As I do not think the bill ought to pass anyway, I will object to that.

Mr. FISCHER. Then I object to the second being considered as ordered.

The SPEAKER. Objection is made, and the Chair will appoint tellers.

Mr. FISCHER and Mr. GRIFFIN were appointed tellers.

The House divided; and the tellers reported—ayes 84, noes 13.

Mr. STEELE. No quorum, Mr. Speaker.

The SPEAKER counted the House and announced 194 members, a quorum, present, and that a second was ordered.

Mr. STEELE. Mr. Speaker, I move that the House do now adjourn.

Mr. SULZER. I hope the House will not adjourn until this bill is passed.

The motion of Mr. STEELE was rejected.

The SPEAKER. The question is on suspending the rules and passing the bill, and the gentleman from Wisconsin [Mr. GRIFFIN] is recognized to control the time in favor of the bill, and the gentleman from New York [Mr. FISCHER] to control the time against it. The Chair understood the gentleman from New York [Mr. FISCHER] to demand a second.

Mr. GRIFFIN. Mr. Speaker, the purpose of this bill is to fix in the Army of the United States a woman's nursing service. As the Army is at present organized, while woman nurses are engaged and employed and serve to a limited extent and under certain conditions, yet they are not recognized in such form as to encourage that kind of service, which is as much needed as any service performed in the Army.

Mr. DOCKERY. Will the gentleman allow me to ask him what is the annual expense involved in the passage of this bill?

Mr. GRIFFIN. In reply to the question of the gentleman from Missouri, Mr. Speaker, I desire to say that it is impossible to state what the total aggregate annual expense will be, but an examination of the report will indicate what the salaries and rations will amount to for a minimum army of 50,000 men. If the Army should be increased to a hundred thousand, or any fraction beyond the 50,000, the basis upon which the computation is made renders it very easy to take this report as to salaries and rations and determine what the annual expense will be.

Mr. WHEELER of Kentucky. Will the gentleman allow me to ask him a question?

Mr. GRIFFIN. I will answer the question of the gentleman from Missouri [Mr. DOCKERY] first, and then I will yield to the gentleman from Kentucky. The total salaries proposed by this bill for an army of a minimum of 50,000 men are \$135,230. That not only includes the nurses who are serving in army hospitals at various points where they are needed, but also includes the expense of a superintendent, and the per diem and expenses of 3 women, who are to be members of the commission with the 4 Government officers. The cost of the rations for that number of nurses, 250, is estimated at \$36,500 annually. The two items added make a total expenditure for salaries, per diem and expenses, and rations of \$171,730. That, I believe, answers the question of the gentleman from Missouri.

Mr. DOCKERY. Did the committee have before it any testimony about the cost of hiring nurses—whether or not the salaries fixed in this bill are reasonable compensation?

Mr. GRIFFIN. The committee had no expert testimony before it. It exercised its own judgment. It compared the salaries paid in private life, and also took the recommendations of the Surgeon-General.

Mr. WHEELER of Kentucky. Does the gentleman know of any instance where you can get a competent trained nurse for \$40 a month? Has the gentleman had any experience in that direction?

Mr. GRIFFIN. I am sorry to say that I have had experience in employing competent nurses, and my experience would more than double that expense.

Mr. McCLELLAN. Twenty dollars a week is the usual charge in New York for trained nurses.

Mr. GRIFFIN. I will say, Mr. Speaker, that those who represent this measure, those who framed it and asked Congress to pass it, are in communication with the trained nurses of this country, and it is their judgment that competent trained nurses who have graduated from a school giving two years' time to the proper education of nurses will be willing to serve for \$40, and that a head nurse will serve for \$50, and a chief nurse for \$75 a month.

Mr. WHEELER of Kentucky. I just want to say to the gentleman that while, fortunately, I have not had the same experience that he has had in being compelled to hire trained nurses, I have been to some extent familiar with the matter by reason of my acquaintance with hospitals that have had trained nurses, and I have never yet known an instance where a first-class, well-graduated trained nurse would not command from two and a half to three and a half dollars per day at any time; and I do not believe the salary here proposed will enable the Government to get first-class trained nurses. I am for the bill if you make the salary large enough so that you can hire first-class people. I do not believe you can get them, though, for the proposed salary.

Mr. GRIFFIN. Mr. Speaker, they all have rations; they have allowance; they have their uniform, and their laundry is paid for; their quarters are provided; their traveling expenses are paid; and when you take into consideration all these allowances, you are getting somewhere near the amount that a trained nurse should have for her services.

Mr. WHEELER of Kentucky. The gentleman is entirely in error. There is not a hospital in the United States that does not furnish quarters, provisions, and uniforms for their trained nurses. If you are going to get a corps of this kind, pay a salary that will pay trained nurses to take these positions.

Mr. QUIGG. If they do not want any more, what is the use of giving it to them?

Mr. WHEELER of Kentucky. Oh, yes.

Mr. GRIFFIN. Those who represent the bill and represent the trained nurses of this country favor this monthly payment, and say to us that trained nurses, when needed, will respond to the call of the Government and perform the services for the amount provided for in this bill as compensation and the allowances which they will receive; and it seems to me that all those who believe as the gentleman does—and I am glad to know that he favors the measure—will support the bill without any question.

Mr. POWERS. Will the gentleman yield to me for a suggestion?

Mr. GRIFFIN. Certainly.

Mr. POWERS. In support of the proposition the gentleman is now making, is it not true that the nurses in hospitals and those in cities who charge three or four dollars a day are only employed a small portion of the year, and under this bill they would be employed from January to December, and therefore would work for less per month?

Mr. GRIFFIN. I thank the gentleman from Vermont for the suggestion. It is a good one, and it meets in a measure the objection which might be raised because the salary was insufficient. With the nurses in the service of the Government, it is a permanent employment and not a temporary one, and the nurses that serve in private families and in the hospitals in the cities are apt to be employed only temporarily, and hence for the time they are employed must charge as much money as those in whose service they may be are willing to pay, in order that during the time they are idle they may not be dependent upon others.

Mr. FOOTE. Will the gentleman allow me to ask him a question?

Mr. GRIFFIN. Certainly.

Mr. FOOTE. I am in favor of this bill, but I would like to ask, for information, if this bill provides that the Army or the Secretary of War may employ volunteer nurses when they are offered?

Mr. GRIFFIN. The colleague of the gentleman from New York proposes an amendment which gives the Secretary of War power to employ volunteer nurses in time of war. There is at the present time authority for such employment.

Mr. FOOTE. Does not this bill destroy that very feature of the law by which volunteer nurses are employed?

Mr. GRIFFIN. That is not my view of it.

Mr. SULZER. I will say it is not.

Mr. FOOTE. I am in favor of this bill if that is so; but I do not think we ought to cut out any volunteer nurses.

Mr. GRIFFIN. If the gentleman from New York shall insist upon his amendment, and it is accepted, then perhaps there will be no question about it.

Mr. MOODY. Will the gentleman allow me a question?

Mr. GRIFFIN. Certainly.

Mr. MOODY. Is it proposed to maintain this corps of nurses in time of peace as well as in time of war?

Mr. GRIFFIN. It is, I will say to the gentleman.

Mr. MOODY. Now, I would like to ask the further question. Has this bill been submitted to the Medical Department of the Army, and has it received the approval of the department?

Mr. GRIFFIN. The Surgeon-General approves the principle of trained nurses in the Army.

Mr. MOODY. Does he approve this bill?

Mr. GRIFFIN. He has not approved this bill, and I do not think he would approve it, because he desires to have complete control over the nurses in the service of the Army.

Mr. MOODY. Ought he not to?

Mr. GRIFFIN. In my opinion, no; emphatically no. [Applause.]

Mr. Speaker, we have had enough experience of the unfortunate system which has prevailed in this country with reference to the care of our sick and wounded soldiers that have needed proper care. We are progressing, and this is one step in advance of what we were yesterday, if we can only enact it into law. A commission composed of the Secretary of War, the Surgeon-General, the Adjutant-General, the Commander of the Army, and three women who are graduates of such institutions as I have described—

Mr. STEELE. The Surgeon-General is only ex officio a member of the commission.

Mr. GRIFFIN. He has an opportunity to vote.

Mr. STEELE. But only ex officio.

Mr. GRIFFIN. They are all ex officio members of the commission.

Mr. MOODY. Will the gentleman allow me to ask him another question?

Mr. GRIFFIN. Certainly.

Mr. MOODY. Is that board to be subordinate to any officer of the Army, or is it an independent corps? Is it under the command of any officer of the Army?

Mr. GRIFFIN. This corps is under the rules and regulations which may be prescribed by the commission.

Mr. MOODY. By these women commissioners?

Mr. GRIFFIN. No, sir; by the Secretary of War, by the Surgeon-General, by the Adjutant-General, by the Commander of the Army, four in number, and by three women. The Army has a majority of that commission, and can control the rules and regulations that may be adopted. The superintendent, in the first instance, being more familiar with the manner of nursing and what is essential for the proper control of that service, prepares the rules and regulations, but before they have any force they must be approved by this commission. Hence, I say, Mr. Speaker, that the entire control of this service is in the War Department.

Mr. DRIGGS. Does not this bill provide only for trained nurses, and not for volunteer nurses at all, under section 8, which says that "all acts and parts of acts inconsistent with this act shall be repealed?"

Mr. GRIFFIN. It is true that the bill does not in terms provide for any volunteer nurses. The amendment proposed by the gentleman's colleague from New York, which is not objectionable, will provide for it. Now, in reply to the gentlemen who desire to know if this system is to be in vogue in time of peace, I say, yes. It is absolutely necessary, if you wish to perfect an effective system of this kind, to obtain in time of war, that they shall be educated in time of peace to become familiar with Army regulations respecting that service.

Mr. HILL. I see by the report on the subject that the Secretary of War and Surgeon-General are opposed to this. Was there before the committee any officer of the Army who favored the adoption of this bill?

Mr. GRIFFIN. I will say there was not, except a representative of the Surgeon-General.

Mr. HILL. And he was opposed to it?

Mr. GRIFFIN. Yes.

Mr. HILL. No officer of the Army or the War Department appeared before the committee in favor of the bill.

Mr. GRIFFIN. No. I will say that the Secretary of War is not opposed to it. The gentleman is wrong in saying that the Secretary of War has expressed himself in opposition to it.

Mr. LIVINGSTON. Let me suggest to the gentleman that the universal observation of all who visited the hospitals was that the trained nurses were absolutely indispensable.

Mr. GRIFFIN. I supposed that the idea advanced by the gentleman from Georgia [Mr. LIVINGSTON] was known to every man on the floor of this House.

Mr. MORRIS. Will the gentleman from Wisconsin allow me a question?

Mr. GRIFFIN. Certainly.

Mr. MORRIS. Is it not a fact that there are already employed in the Army about 600 nurses?

Mr. GRIFFIN. There are between 500 and 600.

Mr. MORRIS. Are they not under the control of the Surgeon-General, and are not the rules and regulations governing them promulgated by him?

Mr. GRIFFIN. That is the fact.

Mr. MORRIS. And he can employ as many women nurses as he needs?

Mr. GRIFFIN. I think so.

Mr. MORRIS. And all you expect to do by this bill is to take the appointment and the making of the rules and regulations out of the hands of the Surgeon-General and put it into the hands of this board. Is not that about all?

Mr. GRIFFIN. That is about all there is to it.

Mr. MORRIS. One more question. Is it not a fact that on boards composed of any Secretary, or a Cabinet officer, or other high official there would scarcely ever be one of them present at a meeting of the board but the Surgeon-General, who would be responsible for the department, and thereby the three women would practically control the whole nurses' department?

Mr. GRIFFIN. To agree with the gentleman from Minnesota [Mr. MORRIS] would be to say that the highest officers of this Government would be guilty of a neglect of duty. I say emphatically and unqualifiedly that those officers would attend the meetings of that board. I wish to say further, because I think I am a little more familiar with the workings under this bill than the gentleman from Minnesota, that the meetings would be very infrequent. I apprehend that when they have met and formulated their rules and regulations they will not be obliged to meet again unless some very extreme case shall arise during that year. So that it will not be any great burden on them to attend the meetings of the commission.

And, sir, if it were possible that the women who are to be members of that board were to exercise such control over the appointment of nurses as to prove an injury to the service, certainly the four officers of the War Department would be most sure to attend the meetings and prevent any improper action in the control of the women of the nursing service of the Army, and to reconsider any improper rule or regulation which may have been made.

Mr. Speaker, if there are no further questions, I reserve the balance of my time, if I have any.

Mr. FISCHER. I yield to the gentleman from Indiana [Mr. STEELE].

Mr. STEELE. Mr. Speaker, my opposition to this bill is, first, because it takes from the Surgeon-General duties belonging to him under the present law—duties which he has faithfully administered in the employment of nurses to the number at one time of about 1,200, about 600 being now employed, and at wages higher than those proposed in this bill. You can not hire trained nurses for any such wages as this bill contemplates.

One of the worst troubles about the bill is that it is brought up here under a motion to suspend the rules, with no opportunity to amend it. Has the Surgeon-General been derelict in the discharge of his duty? Should he be "called down" any more than the head of any other department?

Has he been in any respect faithless to his trust? Certainly not. Yet you come here and say in this bill that two other officers and three women shall say what persons the Surgeon-General shall employ as nurses in the Army. And you give no opportunity to amend the bill in that respect. In addition to that, you provide that these nurses shall be paid so small a compensation as will make it impossible for you to hire the class of nurses that would be desirable in the Army. More than that, you cut out the volunteer nurses. In short, you propose to take from a great department of the Government, one that has done itself much credit in the service, the functions that properly belong to it, and give them over practically to three women. I have said this much so that the grounds of my opposition to the bill may be understood.

Mr. FISCHER. I yield one minute to the gentleman from Minnesota [Mr. MORRIS].

Mr. MORRIS. Mr. Speaker, I wish to say that I entirely agree to the employment of women nurses in the Army; but, as I am informed, and as the gentleman from Wisconsin has just stated, there is already authority vested in the Surgeon-General to employ just as many nurses as he wants to employ and to make all necessary and proper rules and regulations for the government of those nurses. The only object of this bill is to create a commission to appoint these nurses and then to govern them through rules and regulations—

Mr. SULZER. Is it not a fact that the Surgeon-General, at the

very beginning of the war with Spain, proposed to employ trained nurses in the Army?

Mr. MORRIS. I know nothing about that.

Mr. SULZER. It is a fact.

Mr. MORRIS. There are now 600 nurses employed by this Government under the Surgeon-General, and he has the right to employ just as many more as he chooses. Now, it would break down all discipline in any department of any military organization in the world to give to a commission the practical control of the employees of that military department. Would this House for one instant entertain a proposition to pass such a bill as this in reference to the Commissary Department, the Quartermaster's Department, or any other military department of the Government? Such a measure would be subversive of all discipline. That is the reason I oppose this bill. I hope the Government will employ trained nurses; I think they ought to be employed; but let them be employed by that department to which they belong, and let them be controlled by that department. If the head of that department is not fit to govern it, then get somebody that is.

Mr. STEELE. And give wages that will allow the employment of such nurses as we ought to have.

Mr. QUIGG. Does not the gentleman from Minnesota think that the question whether a measure of this kind will be subversive of discipline would depend entirely upon the regulations which these four Army officers may prescribe?

A MEMBER. And three women with them.

Mr. QUIGG. But the Army officers have the majority.

Mr. MORRIS. Any gentleman who knows anything about military organization knows that the responsibility of a military department can not be divided without a subversion of discipline. No military department of any government ought to be controlled by the method this bill proposes.

Mr. SULZER. Is there anything in this bill that does what the gentleman says?

Mr. MORRIS. I have said all that I care to say.

Mr. FISCHER. Mr. Speaker, my opposition to this bill in its present form is based upon a letter, which I will read:

To the House of Representatives:

The New York Red Cross protests against the passage of the House bill 11770 in its present form because it is inimical to the future work of the Red Cross in the cause of humanity in time of war, and would like to have a hearing on this measure before its passage.

WM. T. WARDWELL, President.
BETTINA HOFER LESSER,
Sister in Chief.
WM. A. GANS, Counsel.

FEBRUARY 6, 1899.

The hearing which this letter asks has not been granted. In section 7 of the bill there is the usual clause, "that all acts and parts of acts inconsistent herewith are hereby repealed."

Mr. SULZER. The gentleman will allow me to say that there is nothing whatever in this bill which interferes directly or indirectly with the Red Cross Society.

Mr. FISCHER. I will show the gentleman, I think, that is not quite so before I conclude. I was just coming to that when he interrupted me.

That provision, repealing every law inconsistent with the provisions of this act, repeals sections 1238 and 1239 of the Revised Statutes, which provide that the Secretary of War may engage nurses, either voluntary or paid.

Mr. SULZER. There is no provision of law for the Red Cross nurses to repeal.

Mr. FISCHER. Now, if the present act should pass and these two sections are repealed, the Secretary of War or the Surgeon-General can not engage the services of a volunteer nurse. Under the provisions of this bill he will be compelled to avail himself only of paid nurses, as provided by the bill, who should pass and be mustered in by this board.

Mr. STEELE. Undoubtedly; that is correct.

Mr. FISCHER. My amendment would meet that objection, and that was the intention of the amendment.

Mr. SULZER. We have no objection to the amendment.

Mr. FISCHER. But the trouble is that unless I can procure unanimous consent in the House the amendment avails nothing. If any objection is made, of course it can not be inserted.

Mr. SULZER. As far as I am concerned, I will be glad to have you ask unanimous consent.

Mr. STEELE. No; do not do that.

Mr. SULZER. Ask unanimous consent—

Mr. STEELE. Who is running the gentleman from New York? [Laughter.]

Mr. SULZER. I am. [Laughter.]

Mr. FISCHER. Mr. Speaker, for the purpose of facilitating the passage of the bill I will ask unanimous consent for the adoption of the amendment I have heretofore suggested.

The SPEAKER. The Clerk will read the amendment suggested by the gentleman from New York, after which the Chair will ask if there be objection.

The Clerk read as follows:

Add at the end of line 11, page 4: "Provided, however, That in time of war the Secretary of War may avail himself of the services of duly qualified Sisters of the Red Cross Society as voluntary nurses."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. STEELE. I would have no objection to the amendment if you add after the words "Red Cross," "or other worthy societies or associations."

Mr. SULZER. We accept that.

Mr. MOODY. I will not object if they will consent that the second section be stricken out.

Mr. SULZER. Well, we will not accept that.

Mr. MOODY. Then I object.

Mr. FISCHER. Mr. Speaker, a single word in conclusion.

This measure, now under consideration, fixes the salary of certain proposed officers and involves an expenditure of \$175,000.

Mr. STEELE. Without adding for traveling expenses.

Mr. FISCHER. The Surgeon-General of the Army is fully able to meet the requirements of the service in time of war or peace for the employing of necessary nurses, and as has been said by the gentleman from Minnesota, if he is inefficient, some one else will be placed there. But the work should not be divided up in the manner proposed in this bill or the medical work taken away from the proper bureau of the Department.

I reserve the remainder of my time.

Mr. GRIFFIN. Mr. Speaker, I yield the balance of my time to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, in the brief time at my disposal it will be impossible for me to explain to the House or to attempt to discuss the provisions of this bill. I concur, however, in all that has been so well said by the gentleman from Wisconsin [Mr. GRIFFIN].

This bill came to the Committee on Military Affairs from the loyal, patriotic women of America. A committee of those women appeared before us and most eloquently urged its favorable report. I was impressed with all they said, and, on deliberation, convinced that this bill should speedily become a law.

The committee have unanimously reported the bill, and there should not be, and I trust there will not be, any objection to its passage to-day. It is one of the best, one of the most humane, and one of the most essential bills in connection with the Army that we have had before us in this Congress.

Every member of this House knows, if he knows anything, that at the beginning of the recent war with Spain the Surgeon-General of the Army was absolutely opposed to having trained women nurses in the field and in the camps, and he only finally reluctantly consented to it when public opinion forced him to do so. History has shown that the Surgeon-General's opposition was wrong then, and, in my judgment, events will demonstrate that the Surgeon-General's opposition to this bill is wrong now.

You all know what those brave and heroic volunteer women nurses did for our sick and wounded soldier boys in the camps and at the front. No one can speak too highly or too eloquently of their patience, their fortitude, their devotion, and their noble self-sacrifice in the performance of duty to the sick and dying soldiers of the Union. Every woman who went to the front to do duty as a nurse is entitled to the gratitude of the American people. Every woman who went to the camps and to Cuba to nurse the sick, the wounded, and the dying soldiers of her country is a patriot entitled to the thanks of Congress, and she should receive from the hands of the President a medal of honor to commemorate her patriotism.

I have introduced a bill to do that, and ere I leave Congress I hope to place it on the statute books of the Republic.

You all know how our soldiers sickened and died in the camps and at the front. In my judgment, it would have been much worse if it had not been for the trained women nurses. It is impossible to estimate the beneficent services they rendered. Many a poor soldier would not be alive to-day if it were not for them. Many a dying comrade had his last hours made comfortable by their tender care and angelic ministrations.

All honor and all glory, I say, to the brave women nurses who went to the front and in the fever-stricken and pestilential camps. They were all heroines—every one. Their reward is the consciousness of duty well done, and their monument is in the patriotic hearts of the soldiers of the Republic. We owe them a debt of gratitude we never can repay.

And in that spirit, sir, I contend that this bill should pass, and I hope it will pass unanimously. It will be a shame and a disgrace if any member interposes an objection. The bill is a good one in all respects. There can be no honest, no just, criticism of it. The flimsy opposition sought to be raised here by a few gentlemen is a mere quibble and unworthy their gallantry or their patriotism.

We want trained women nurses in the Army. They are needed there just as much as trained nurses are needed in our hospitals. We want them in the Army in time of peace, and we want them

in time of war. We want them in time of peace to nurse the sick in the army hospitals. We want them in time of war to care for the ill in the camps and to minister to the wounded and the stricken carried from the field of battle. Their work is a work of their own—it can not be done by others.

My friends, a word more, and I am done. I notice my time is exhausted, and I will not detain the House.

To-day the patriotic women of America plead for this bill; to-day the brave soldiers of the Union ask for it and demand it; and in their name, in the name of justice to humanity and our own civilization, and, above all and beyond all, in the name of the loyal, the self-sacrificing, and the heroic women nurses who recently went to the front, I pray you, I appeal to you, to pass this bill ere this House adjourn to-day. [Loud applause.]

[Here the hammer fell.]

Mr. FISCHER. I yield one minute to the gentleman from Minnesota [Mr. MORRIS].

Mr. MORRIS. Mr. Speaker, I want to say, in reply to the remarks of the gentleman from New York [Mr. SULZER], that no man has any more regard for the women nurses than I have, but he must be mistaken in what he has said about the position of the Surgeon-General. I know of my own knowledge that one lady was appointed from my own district, upon my own recommendation, to be a nurse, and died in the service in the late war.

Mr. LANDIS. I should like to ask the gentleman a question.

Mr. MORRIS. I will yield to the gentleman.

Mr. LANDIS. Did not the Surgeon-General, in his testimony before the war investigating committee, slur women nurses?

Mr. MORRIS. I do not know anything about that.

Mr. LANDIS. He did.

Mr. STEELE. If he has done that, he ought to be turned out.

Mr. CANNON. If there be a bad Surgeon-General, he can be remedied.

Mr. LANDIS. I want to say that I am in favor of a new Surgeon-General, if this bill or a similar bill is not to pass.

Mr. HENDERSON. Mr. Speaker, I rise to a parliamentary inquiry. Is not the time for debate on this bill exhausted?

The SPEAKER. The gentleman from New York [Mr. FISCHER] has ten minutes.

Mr. FISCHER. I have no desire to occupy that time.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question being taken, Mr. GRIFFIN demanded a division.

The House divided; and there were—ayes 100, noes 61.

The SPEAKER. Two-thirds not having voted in the affirmative—

Mr. GRIFFIN. Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 124, nays 84, answered "present" 7, not voting 136; as follows:

YEAS—124.

Allen,	Dolliver,	Lawrence,	Ray,
Baker, Ill.	Dovenor,	Lentz,	Ridgely,
Baker, Md.	Eddy,	Lewis, Ga.	Robertson, La.
Bail,	Evans,	Lewis, Wash.	Russell,
Barham,	Farris,	Linney,	Shaffroth,
Barney,	Fitzgerald,	Livingston,	Showalter,
Barrows,	Foot,	Low,	Slayden,
Belknap,	Foss,	McCleary,	Smith, S. W.
Bell,	Gibson,	McClellan,	Smith, Wm. Alden
Berry,	Graff,	McCulloch,	Sperry,
Bishop,	Graham,	McIntire,	Spight,
Brosius,	Greene, Mass.	McLain,	Sprague,
Brown,	Greene, Nebr.	Marsh,	Stark,
Brucker,	Griffin,	Maxwell,	Stephens, Tex.
Brumam,	Griffith,	Mockison,	Stewart, N. J.
Burke,	Grout,	Mosick,	Stewart, Wis.
Burleigh,	Grow,	Miers, Ind.	Stone,
Butler,	Hawley,	Miller,	Strait,
Catchings,	Henry, Miss.	Mills,	Sturtevant,
Clardy,	Hepburn,	Minor,	Sulloway,
Cochran, Mo.	Hitt,	Mitchell,	Sulzer,
Coddling,	Honkins,	Newlands,	Sutherland,
Cooper, Tex.	Howe,	Otjen,	Tawney,
Cooper, Wis.	Hull,	Packer, Pa.	Taylor, Ala.
Cousins,	Johnson, N. Dak.	Parker, N. J.	Thorp,
Crump,	Kerr,	Payne,	Vincent,
Curtis, Iowa	Ketcham,	Perkins,	Walker, Mass.
Curtis, Kans.	Knowles,	Peters,	Weymouth,
Danford,	Knox,	Powers,	Wheeler, Ky.
Davidson, Wis.	Lacey,	Prince,	Williams, Miss.
Dick,	Landis,	Quigg,	Zenor.

NAYS—84.

Aldrich,	Clarke, N. H.	Elliot,	Howell,
Alexander,	Clayton,	Ellis,	Hunter,
Barlow,	Cochrane, N. Y.	Ermentrout,	Kirkpatrick,
Bartlett,	Connolly,	Fischer,	Kleberg,
Bingham,	Corliss,	Fowler, N. C.	Lester,
Bland,	Cowherd,	Gardner,	Littauer,
Bodine,	Cox,	Grosvenor,	Lloyd,
Brantley,	Crumpacker,	Hager,	Loud,
Brenner, Ohio	Dalzell,	Handy,	McRae,
Brundidge,	De Armond,	Henderson,	Maddox,
Burton,	De Graffenreid,	Henry, Ind.	Maggiore,
Cannon,	Dinsmore,	Henry, Tex.	Moody,
Carnack,	Dockery,	Hill,	Morris,
Castia,	Driggs,	Howard, Ga.	Mudd,

Otey,
Pierce, Tenn.
Pugh,
Reeves,
Rhea,
Richardson,
Rixey,

Robb,
Robinson, Ind.
Settle,
Shattuc,
Shuford,
Simpson,
Smith, Ky.

Southwick,
Sparkman,
Stallings,
Steele,
Stevens, Minn.
Strowd, N. C.
Talbert,

Tate,
Tongue,
Updegraff,
Vandiver,
Warner,
Williams, Pa.
Yost.

ANSWERED "PRESENT"—7.

Broderick,
Bromwell,

De Vries,
Gaines,

Hamilton,
Norton, S. C.

Sims.

NOT VOTING—136.

Acheson,
Adams,
Adamson,
Arnold,
Babcock,
Bailey,
Baird,
Banknead,
Barber,
Barrett,
Bartholdt,
Beach,
Felden,
Belford,
Benner, Pa.
Bennett,
Benton,
Booze,
Botkin,
Boutell, Ill.
Boutelle, Me.
Bradley,
Brewer,
Brewster,
Broussard,
Brownlow,
Bull,
Campbell,
Capron,
Chickering,
Clark, Iowa
Clark, Mo.
Colson,
Connell,

Cooney,
Cranford,
Cummings,
Davenport,
Davey,
Davis,
Davison, Ky.
Dayton,
Dorr,
Fenton,
Fitzpatrick,
Fleming,
Fletcher,
Fowler, N. J.
Fox,
Gillett, N. Y.
Gillett, Mass.
Griggs,
Gunn,
Harmer,
Hartman,
Hay,
Heatwole,
Hemenway,
Henry, Conn.
Hicks,
Hilborn,
Hinrichsen,
Howard, Ala.
Hurley,
Jenkins,
Jett,
Johnson, Ind.
Jones, Va.

Jones, Wash.
Joy,
Kelley,
King,
Kitchin,
Kulp,
Lamb,
Lanham,
Latimer,
Little,
Lorimer,
Loudenslager,
Lovering,
Lybrand,
McAleer,
McCall,
McCormick,
McDonald,
McDowell,
McEwan,
Mahany,
Mahon,
Mann,
Marshall,
Martin,
Mercer,
Meyer, La.
Moon,
Norton, Ohio
Odell,
Ogden,
Olmsted,
Osborne,
Overstreet,

Pearce, Mo.
Pearson,
Robbins,
Roysse,
Sauerhering,
Shannon,
Shelden,
Sherman,
Skinner,
Smith, Ill.
Snover,
Southard,
Spalding,
Stokes,
Strode, Nebr.
Swanson,
Tayler, Ohio
Terry,
Todd,
Underwood,
Van Voorhis,
Vehslage,
Wadsworth,
Walker, Va.
Wanger,
Ward,
Weaver,
Wheeler, Ala.
White, Ill.
White, N. C.
Wilber,
Wilson,
Wise,
Young.

So (two-thirds not voting in the affirmative) the motion to suspend the rules and pass the bill was lost.

Mr. BAILEY. I did not know that the second roll call had been made.

The SPEAKER pro tempore (Mr. CURTIS of Kansas). The roll was called a second time.

Mr. BAILEY. I heard my name on the first, and intended to vote on the second call. I presume I am not within the rule.

The SPEAKER pro tempore. The gentleman is not within the rule.

The following pairs were announced:

Until further notice:

Mr. BELDEN with Mr. JETT.

Mr. WISE with Mr. NORTON of South Carolina.

Mr. VAN VOORHIS with Mr. McDOWELL.

Mr. SOUTHARD with Mr. OSBORNE.

Mr. BROWNLOW with Mr. DAVIS.

Mr. BARRETT with Mr. CRANFORD.

Mr. ADAMS with Mr. BERRY.

Mr. CONNELL with Mr. UNDERWOOD.

Mr. WARD with Mr. LATIMER.

Mr. WEAVER with Mr. MARSHALL.

Mr. BARTHOLDT with Mr. OGDEN.

Mr. DANFORD with Mr. FITZPATRICK.

Mr. PEARSON with Mr. DAVEY.

Mr. BARRETT with Mr. FOX.

Mr. ODELL with Mr. KING.

Mr. WANGER with Mr. ADAMSON.

Mr. LORIMER with Mr. SWANSON.

Mr. CHICKERING with Mr. PIERCE of Tennessee.

Mr. LITTAUER with Mr. NORTON of Ohio.

Mr. MCEWAN with Mr. VEHSLEGE.

For this day:

Mr. HARMER with Mr. TODD.

Mr. ACHESON with Mr. STOKES.

Mr. BRODERICK with Mr. LANHAM.

Mr. LOUDENSLAGER with Mr. TERRY.

Mr. JENKINS with DE VRIES.

Mr. JOY with Mr. LITTLE.

Mr. YOUNG with Mr. CLARK of Missouri.

Mr. SHELLEN with Mr. BAILEY.

Mr. BOOZE with Mr. WILSON.

Mr. CHICKERING with Mr. DE GRAFFENREID.

Mr. DAYTON with Mr. BENTON.

Mr. DORR with Mr. KITCHIN.

Mr. EDDY with Mr. BRADLEY.

Mr. WADSWORTH with Mr. HAY.

Mr. WHITE of Illinois with Mr. JONES of Washington.

Mr. GILLET of Massachusetts with Mr. BREWER.

Mr. HAMILTON with Mr. COONEY.

Mr. BOUTELL of Illinois with Mr. GRIGGS.

Mr. BENNETT with Mr. GAINES.
 Mr. HEATWOLE with Mr. CUMMINGS.
 Mr. LYBRAND with Mr. ELLIOTT.
 Mr. McCALL with Mr. HINRICHSSEN.
 Mr. MERCER with Mr. JONES of Virginia.
 Mr. BULL with Mr. BANKHEAD.
 Mr. SHERMAN with Mr. UNDERWOOD.

Mr. GAINES. I am paired with the gentleman from New York [Mr. BENNETT], and therefore withdraw my negative vote and wish to be recorded as "present."

The result of the vote was then announced as above recorded.

NATIONAL MILITARY PARK NEAR VICKSBURG.

Mr. HULL. Mr. Speaker, I move to suspend the rules and pass the following bill with the amendments recommended by the committee.

The SPEAKER. The gentleman from Iowa, chairman of the Committee on Military Affairs, moves that the rules be suspended and the following bill be passed.

The Clerk read as follows:

A bill (H. R. 4382) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg.

Mr. HULL. Mr. Speaker, I ask unanimous consent that the reading of the bill be dispensed with.

Mr. BAILEY. How long a bill is this?

Mr. HULL. Four or five pages.

The SPEAKER. Nine pages.

Mr. BAILEY. I suppose there is going to be no opposition. I think it is a bad practice to pass bills without being read. It will not take long to read the bill, and I understand that is all there will be about it.

Mr. HULL. Very well; I withdraw the request.

The Clerk read the bill, as follows:

A bill (H. R. 4382) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg.

Be it enacted, etc., That in order to commemorate the campaign and siege and defense of Vicksburg, and to preserve the history of the battles and operations of the siege and defense on the ground where they were fought and were carried on, the battlefield of Vicksburg, in the State of Mississippi, is hereby declared to be a national military park whenever the title to the same shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Mississippi; that is to say, the area inclosed by the following lines, or so much thereof as the commissioners of the park may deem necessary, to wit: Beginning near the point where the graveyard road, now known as the City Cemetery road, crosses the line of the Confederate earthworks, thence north about 80 rods, thence in an easterly direction about 120 rods, thence in a southerly direction, and keeping as far from the line of the Confederate earthworks as the purposes of the park may require and as the park commission, to be hereinafter named, may determine, but not distant from the nearest point on said line of Confederate earthworks more than 160 rods at any part, to a point about 40 rods south and from 80 to 160 rods east of Fort Garrott, also known as the "Square Fort;" thence in a westerly direction to a point in the rear of said Fort Garrott, thence in a northerly direction across the line of the Confederate earthworks and to a point about 200 feet in the rear of the said line of Confederate earthworks, thence in a general northerly direction, and at an approximate distance of about 200 feet in the rear of the line of Confederate earthworks as the conformation of the ground may require, to the place of beginning. This to constitute the main body of the park. In addition thereto a strip of land about 244 feet in width along and including the remaining parts of the Confederate earthworks, namely, from the north part of said main body of the park to and including Fort Hill or Fort Nogales, on the high hill overlooking the national cemetery, and from the south part of said main body of the park to the edge of the bluff at the river below the city of Vicksburg; and also in addition thereto a strip of land about 264 feet in width, as near as may be, along and including the Federal lines opposed to the Confederate lines herein and above named and not included in the main body of the park; and in further addition thereto such points of interest as the commission may deem necessary for the purposes of the park and the Secretary of War may approve; the whole containing about 1,200 acres, and costing not to exceed \$50,000.

SEC. 2. That the establishment of the Vicksburg national military park shall be carried forward under the control and direction of the Secretary of War; and the Secretary of War shall, upon the passage of this act, proceed to acquire title to the same by voluntary conveyance or under the act approved August 1, 1888, entitled "An act to authorize the condemnation of land for sites of public buildings, and for other purposes," or under act approved February 22, 1867, entitled "An act to establish and protect national cemeteries," as he may elect or deem practicable, and when the title is procured to all of the lands and roads within the boundaries of the proposed park as described in section 1 of this act, he may proceed with the establishment of the park; and he shall detail an officer of the Engineer Corps of the Army to assist the commissioners in establishing the park.

SEC. 3. That the Secretary of War is hereby authorized to enter into agreements of leasing upon such terms as he may prescribe, with such occupants or tenants of the lands as may desire to remain upon it, to occupy and cultivate their present holdings upon condition that they will preserve the present buildings and roads and the present outlines of field and forest, and that they will only cut trees or underbrush under such regulations as the Secretary of War may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

SEC. 4. That the affairs of the Vicksburg national military park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, to be appointed by the Secretary of War, each of whom shall have served at the time of the siege and defense in one of the armies engaged therein, two of whom shall have served in the army commanded by General Grant and one in the army commanded by General Pemberton. The commissioners shall elect one of their number chairman. They shall also elect, subject to the approval of the Secretary of War, a secretary, who shall also be historian, and who shall possess the requisite qualifications of a commissioner, and they and the secretary shall have an office in the city of Vicksburg, Miss., or on the grounds of the park, and be paid such compensation as the Secretary of War shall deem reasonable and just.

SEC. 5. That it shall be the duty of the commissioners named in the preceding section, under the direction of the Secretary of War, to restore the forts and the lines of fortification, the parallels and the approaches of the two armies, or so much thereof as may be necessary to the purposes of this park; to open and construct and to repair such roads as may be necessary to said purposes, and to ascertain and mark with historical tablets, or otherwise, as the Secretary of War may determine, the lines of battle of the troops engaged in the assaults, and the lines held by the troops during the siege and defense of Vicksburg, the headquarters of General Grant and of General Pemberton, and other historical points of interest pertaining to the siege and defense of Vicksburg within the park or its vicinity; and the said commissioners in establishing this military park shall also have authority, under the direction of the Secretary of War, to do all things necessary to the purposes of the park, and for its establishment under such regulations as he may consider best for the interest of the Government, and the Secretary of War shall make and enforce all needful regulations for the care of the park.

SEC. 6. That it shall be lawful for any State that had troops engaged in the siege and defense of Vicksburg to enter upon the lands of the Vicksburg national military park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to and approved by the Secretary of War, and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of War, which approval shall be based upon formal written reports which must be made to him in each case by the commissioners of the parks; and no monument, tablet, or other designating indication shall be erected or placed within said park or vicinity without such written authority of the Secretary of War: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State. The provisions of this section shall also apply to organizations and persons; and as the Vicksburg National Cemetery is on ground partly occupied by Federal lines during the siege of Vicksburg, the provisions of this section, as far as may be practicable, shall apply to monuments or tablets designating such lines within the limits of that cemetery.

SEC. 7. That if any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, tablet, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter on any part thereof constructed by the armies formerly engaged in the battles, on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States commissioner or court, justice of the peace of the county in which the offense may be committed, or any court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine in the discretion of the said commissioner or court of the United States or justice of the peace, according to the aggravation of the offense, of not less than five nor more than five hundred dollars, one-half for the use of the park and the other half to the informant, to be enforced and recovered before such United States commissioner or court or justice of the peace or other court in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

SEC. 8. That to enable the Secretary of War to begin to carry out the purpose of this act, including the condemnation or purchase of the necessary land, marking the boundaries of the park, opening or repairing necessary roads, restoring the field to its condition at the time of the battle, maps and surveys, material, labor, clerical, and all other necessary assistants, and the pay and expenses of the commissioners and their secretary and assistants, the sum of \$55,000, or such portion thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, and disbursements under this act shall require the approval of the Secretary of War, and he shall make annual report of the same to Congress.

A second was not demanded.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

GRANT OF CERTAIN LANDS TO THE STATE OF ALABAMA.

Mr. ALDRICH. Mr. Speaker, I move that the rules be suspended and the Senate bill which I send to the desk be passed.

The Clerk read as follows:

A bill (S. 2768) to grant lands to the State of Alabama for the use of the Industrial School for Girls of Alabama and of the Tuskegee Normal and Industrial Institute.

Be it enacted, etc., That the governor of the State of Alabama be, and he is hereby, authorized to select, out of the unoccupied and uninhabited lands of the United States within the said State, 25,000 acres of land, and shall certify the same to the Secretary of the Interior, who shall forthwith, upon receipt of said certificate, issue to the State of Alabama patents for said lands: *Provided*, That the proceeds of said lands when sold or leased shall forever remain a fund for the use of the Industrial School for Girls of Alabama, located at Montevallo, Ala.

SEC. 2. That the governor of the State of Alabama be, and he is hereby, authorized to select, out of the unoccupied and uninhabited lands of the United States within the said State, 25,000 acres of land, and shall certify the same to the Secretary of the Interior, who shall forthwith, upon receipt of said certificate, issue to the State of Alabama patents for said lands: *Provided*, That the proceeds of said lands when sold or leased shall forever remain a fund for the use of the Tuskegee Normal and Industrial Institute.

The SPEAKER. Is a second demanded?

Mr. DOCKERY. Is this bill unanimously reported by the committee?

Mr. ALDRICH. It is.

The question was taken on suspending the rules and passing the bill; and the SPEAKER announced that the ayes seemed to have it.

Mr. HOWE. Division. [After a pause.] Mr. Speaker, I withdraw the demand for a division.

The SPEAKER. The demand for a division is withdrawn. The ayes have it; and, in the opinion of the Chair, two-thirds

having voted in the affirmative, the rules are suspended and the bill is passed.

Mr. PAYNE. I move that the House adjourn.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

H. R. 11487. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900.

The motion to adjourn was then agreed to; and accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Commissioner of Patents, transmitting his annual report for 1898—to the Committee on Patents, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of War transmitting a supplemental estimate of appropriation for "Salaries, office of the Secretary of War"—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., reported the same with amendment, accompanied by a report (No. 1929); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 10369) for the erection of a public building in the city of Blair, Nebr., reported the same with amendment, accompanied by a report (No. 1930); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HICKS, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 1273) for a public building at the city of Altoona, Pa., and appropriating money therefor, reported the same with amendment, accompanied by a report (No. 1931); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SKINNER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 10383) to provide for the erection of a public building at Elizabeth City, N. C., reported the same with amendment, accompanied by a report (No. 1932); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HILBORN, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 706) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California, reported the same with amendment, accompanied by a report (No. 1933); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLET of New York, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 11861) for the erection of a public building at Elmira, N. Y., reported the same without amendment, accompanied by a report (No. 1934); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLE, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1139) to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark., reported the same with amendment, accompanied by a report (No. 1935); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 521) for the erection of a public building at Fitchburg, Mass., reported the same with amendment, accompanied by a report (No. 1936); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HOWELL, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 11883)

for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J., reported the same without amendment, accompanied by a report (No. 1937); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BROUSSARD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 11314) to provide for a public building at New Iberia, La., reported the same with amendment, accompanied by a report (No. 1938); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DORR, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5974) to provide for the purchase of a site and the erection of a building thereon at Bluefield, in the State of West Virginia, reported the same with amendment, accompanied by a report (No. 1939); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 10362) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois, reported the same with amendment, accompanied by a report (No. 1941); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRANTLEY, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 447) for the erection of a custom-house and post-office building at Brunswick, Ga., reported the same with amendment, accompanied by a report (No. 1942); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 1056) to provide for a public building at Cleveland, Ohio, reported the same with amendment, accompanied by a report (No. 1943); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4076) for enlarging the public building at Topeka, Kans., reported the same with amendment, accompanied by a report (No. 1944); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 926) to provide for the erection of a public building at Beaumont, Tex., reported the same with amendment, accompanied by a report (No. 1945); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 484) providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa, reported the same with amendment, accompanied by a report (No. 1946); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 6) to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr., reported the same with amendment, accompanied by a report (No. 1947); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 1271) for a public building at the city of Wilkesbarre, Pa., and appropriating money therefor, reported the same with amendment, accompanied by a report (No. 1948); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 5536) appropriating money for an annex to the Federal building at Jackson, Miss., reported the same with amendment, accompanied by a report (No. 1949); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4306) for the erection of a public building in the city of Elgin, Ill., reported the same with amendment, accompanied by a report (No. 1950); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11056) authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn., reported the same with amendment, accompanied by a report (No. 1951); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 164) to provide for the construction of a public building at Butte City, Mont., reported the same with amendment, accompanied by a report (No. 1952); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11360) for the erection of a public building at Creston, Iowa, reported the same with amendment, accompanied by a report (No. 1953); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11141) for the erection of a public building at Annapolis, Md., reported the same with amendment, accompanied by a report (No. 1954); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 1896) to provide for the purchase of a site and for the erection of a public building thereon at Salt Lake City, the capital of the State of Utah, reported the same with amendment, accompanied by a report (No. 1955); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11162) to provide for the construction of a public building at the city of Janesville, Wis., reported the same with amendment, accompanied by a report (No. 1956); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11728) to remove the fire limit from the post-office at Bridgeport, Conn., reported the same without amendment, accompanied by a report (No. 1957); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2) to provide for the erection of a public building at Indianapolis, Ind., reported the same with amendment, accompanied by a report (No. 1958); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 146) to provide for the erection of a public building at Indianapolis, Ind., reported the same with amendment, accompanied by a report (No. 1959); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 346) providing for the erection of a public building at the city of Seattle, in the State of Washington, reported the same with an amendment, accompanied by a report (No. 1960); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 75) providing for the erection of an addition to the United States public building at Canton, Ohio, reported the same without amendment, accompanied by a report (No. 1961); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11530) authorizing the extension of the post-office building at Springfield, Mass., reported the same without amendment, accompanied by a report (No. 1962); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 88) to provide for the purchase of sites for public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes, reported the same with amendments, accompanied by a report (No. 1963); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 9077) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891, reported the same with an amendment, accompanied by a report (No. 1964); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 2048) for the erection of a public building at Fergus Falls, Minn., reported the same with an amendment, accompanied by a report (No. 1965); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the

bill of the House (H. R. 11686) providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York, reported the same with an amendment, accompanied by a report (No. 1966); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2129) to provide for the erection of a public building at Kansas City, Kans., reported the same with an amendment, accompanied by a report (No. 1967); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 710) to provide for the purchase of additional land in square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city, reported the same with an amendment, accompanied by a report (No. 1968); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11955) to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa, reported the same with an amendment, accompanied by a report (No. 1969); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 1663) for the erection of a public building at Carrollton, Ky., reported the same with an amendment, accompanied by a report (No. 1970); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 10804) for the erection of a public building at Anniston, Ala., reported the same with amendment, accompanied by a report (No. 1983); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 524) to erect a public building at Lawrence, Mass., reported the same with amendment, accompanied by a report (No. 1984); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2314) to erect a custom-house and post-office building in the city of Bristol, State of Tennessee, reported the same with amendment, accompanied by a report (No. 1985); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11769) to provide for the purchase of square 255, in Washington, D. C., reported the same without amendment, accompanied by a report (No. 1986); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11882) to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor, reported the same without amendment, accompanied by a report (No. 1987); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 414) for the erection of a public building at Tampa, Fla., reported the same with amendment, accompanied by a report (No. 1988); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4595) for the erection of a public building at Norwich, Conn., reported the same with amendment, accompanied by a report (No. 1989); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 109) for the erection of a public building at Aberdeen, S. Dak., reported the same with amendment, accompanied by a report (No. 1990); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2056) for the erection of a public building at Menominee, Mich., reported the same with amendment, accompanied by a report (No. 1991); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLE, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri, reported the same with amendment, accompanied by a report (No. 1992); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5528) to provide for the construction of a public building at Salem, Oreg., reported the same with amendment, accompanied by a report (No. 1993); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4113) for the erection of a public building at St. Cloud, Minn., reported the same with amendment, accompanied by a report (No. 1994); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 927) to provide for the erection of a public building at Abilene, Tex., reported the same with amendment, accompanied by a report (No. 1995); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 2598) for the erection of a public building at Newport, Vt., reported the same with amendment, accompanied by a report (No. 1996); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 431) to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois, reported the same with amendment, accompanied by a report (No. 1997); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2879) providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo., reported the same with amendment, accompanied by a report (No. 1998); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4756) to provide for a complete system of filtration of the water supply of the United States Capitol, reported the same with amendment, accompanied by a report (No. 1999); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLET of New York, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 4313) for the erection of a public building at the city of Jamestown, N. Y., reported the same with amendment, accompanied by a report (No. 2000); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 477) to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin, reported the same with amendment, accompanied by a report (No. 2001); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRANTLEY, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 10753) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate \$25,000 therefor, reported the same with amendment, accompanied by a report (No. 2002); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1859) to provide for a public building at Winston, N. C., reported the same with amendment, accompanied by a report (No. 2003); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1079) to enlarge and improve the United States public building at Columbus, Ga., reported the same with amendment, accompanied by a report (No. 2004); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1642) for the erection of a public building at Green Bay, Wis., reported the same with amendment, accompanied by a report (No. 2005);

which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLET of New York, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1631) to provide for the purchase of a site and the erection of a building thereon at Rome, in the State of New York, reported the same with amendment, accompanied by a report (No. 2006); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5013) for the erection of a public building for the use of Federal offices at San Diego, Cal., reported the same with amendment, accompanied by a report (No. 2007); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 9688) for the erection of a public building in the city of Evanston, Ill., reported the same with amendment, accompanied by a report (No. 2008); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 4093) to provide for the erection of a public building in the city of Portsmouth, in the State of Virginia, reported the same with amendment, accompanied by a report (No. 2009); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 3525) for the erection of a public building at Providence, R. I., reported the same without amendment, accompanied by a report (No. 2010); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 84) to provide for the erection of a public building at Freeport, Ill., reported the same with amendment, accompanied by a report (No. 2011); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SKINNER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 1749) to provide for the purchase of a site and the erection of a public building thereon at Durham, in the State of North Carolina, reported the same with amendment, accompanied by a report (No. 2012); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9059) to pension Catherine Eakin, reported the same with amendment, accompanied by a report (No. 1919); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6913) to increase the pension of Mrs. Charlotte B. Cozzens, reported the same with amendment, accompanied by a report (No. 1920); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2574) to increase the pension of Mrs. L. M. Payne, reported the same with amendment, accompanied by a report (No. 1921); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10853) granting an increase of pension to Amanda Willmarth, reported the same with amendment, accompanied by a report (No. 1922); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10803) granting an increase of pension to James Porter, reported the same with amendment, accompanied by a report (No. 1923); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10860) granting a pension to Mianda A. Sanford, reported the same with amendment, accompanied by a report (No. 1924); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to

which was referred the bill of the House (H. R. 8749) for the relief of James J. Marcher, reported the same with amendment, accompanied by a report (No. 1925); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7046) granting an increase of pension to Arba Capron, of North Topeka, Kans., reported the same with amendment, accompanied by a report (No. 1926); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4630) granting an increase of pension to Chauncey A. Bradley, reported the same with amendment, accompanied by a report (No. 1927); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4374) granting a pension to Nellie M. Gould, reported the same without amendment, accompanied by a report (No. 1971); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7657) for the relief of James E. Searl, reported the same with an amendment, accompanied by a report (No. 1972); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9455) granting an increase of pension to Richard Atkinson, reported the same with an amendment, accompanied by a report (No. 1973); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8578) granting a pension to George W. Reisinger, reported the same with amendment, accompanied by a report (No. 1974); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10241) granting a pension to Nancy Shaley, reported the same with amendment, accompanied by a report (No. 1975); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Claims, to which was referred the bill of the House (H. R. 7865) to pay the J. S. Stearns Lumber Company \$379, reported the same without amendment, accompanied by a report (No. 1976); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to whom was referred the bill of the House (H. R. 2258) granting a pension to Mary E. Taylor, reported the same with amendment, accompanied by a report (No. 1977); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1677) for the benefit of Anna M. Wehe, mother of William M. Wehe, deceased, reported the same with amendment, accompanied by a report (No. 1978); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1031) granting a pension to Noah Pillsbury, reported the same with amendment, accompanied by a report (No. 1979); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10305) to increase the pension of Annie Cusack, reported the same with amendment, accompanied by a report (No. 1980); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4233) granting an increase of pension to Solomon Kline, reported the same without amendment, accompanied by a report (No. 1981); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9959) granting a pension to Jessie Goldie, reported the same with amendment, accompanied by a report (No. 1982); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11082) granting an increase of pension to James Bintliff, reported the same adversely, accompanied by a report (No. 1928); which said bill and report were ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 11906) granting a pension to Mary Ann Fell; and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FERGUSON: A bill (H. R. 12005) authorizing the Territory of New Mexico to create an additional indebtedness to finish and furnish her Territorial capitol—to the Committee on the Territories.

By Mr. STEPHENS of Texas (by request): A bill (H. R. 12003) permitting noncitizens of the Indian Territory to bring suits in the United States courts of the Territory to enforce contracts between noncitizens and citizens of the Territory in certain cases—to the Committee on Indian Affairs.

By Mr. KETCHAM: A bill (H. R. 12007) to provide for the purchase of a site and the erection of a public building thereon at Kingston, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS of Iowa: A bill (H. R. 12010) to establish a municipal court for the District of Columbia, to abolish the offices of justice of the peace and constable, and for other purposes—to the Committee on the District of Columbia.

By Mr. STALLINGS: A bill (H. R. 12011) for the purpose of recognizing the gallantry of the Volunteer Army of the United States during the war with Spain—to the Committee on Military Affairs.

Also (for Mr. WHEELER of Alabama), a bill (H. R. 12012) to establish and erect a military post at Huntsville, Ala.—to the Committee on Military Affairs.

By Mr. BINGHAM: A joint resolution (H. Res. 352) authorizing foreign exhibitors at the Philadelphia Commercial Exposition to bring into this country foreign laborers under regulations to be prescribed by the Secretary of the Treasury—to the Committee on Immigration and Naturalization.

By Mr. GROW: A joint resolution (H. Res. 353) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. CAPRON: A joint resolution (H. Res. 354) proposing amendments to the Constitution prohibiting polygamy within the United States and all places subject to their jurisdiction, and disqualifying polygamists for election as Senators or Representatives in Congress—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. ZENOR: A joint resolution (H. Res. 355) construing the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents"—to the Committee on Invalid Pensions.

By Mr. EDDY: A memorial from the legislature of Minnesota, favoring the election of United States Senators by direct vote—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. ELLIS: A memorial from the Oregon legislature, favoring the construction of the Nicaragua Canal by the United States Government—to the Committee on Interstate and Foreign Commerce.

Also, a memorial from the legislature of the State of Oregon, favoring the election of United States Senators by direct vote—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, a memorial from the legislature of Oregon, favoring the continuance of the improvement at Yaquina Harbor, Oregon—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BELDEN: A bill (H. R. 12013) to increase the pension of Delos M. Kenyon—to the Committee on Invalid Pensions.

By Mr. FISCHER: A bill (H. R. 12014) to remove the charge of desertion against the name of George W. Smith—to the Committee on Military Affairs.

By Mr. HILBORN: A bill (H. R. 12015) removing charge of desertion from record of William Alexander Griffith—to the Committee on Military Affairs.

By Mr. KITCHIN: A bill (H. R. 12016) for the relief of Charles

W. Johnson, administrator of Mrs. Lydia Johnson—to the Committee on War Claims.

By Mr. MUDD: A bill (H. R. 12017) granting a pension to Mrs. Elmina Creighton—to the Committee on Pensions.

By Mr. WARNER: A bill (H. R. 12018) to increase the pension of Louisa Rose—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A joint resolution (H. Res. 356) for relief of Warner H. Nostrand, lieutenant, United States Navy—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of Rachel Foster Avery, for woman suffrage to Hawaiian women—to the Committee on the Territories.

Also, resolutions of the Merchants' Association of New York, relating to the freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

By Mr. BELFORD: Petition of fourth-class postmasters in Queens and Suffolk counties, N. Y., in favor of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. BENTON: Petitions of T. I. Craig and 20 citizens of Racine, Mo., and J. L. Zumsteg and 20 citizens of Sheldon, Mo., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BINGHAM: Resolutions of Washington Council, No. 1; Spring Garden Council, No. 18; Robert Morris Council, No. 4; Harmony Council, No. 53; Ermentown Council, No. 73; Frankford Council, No. 176; Woodland Council, No. 179; Roxborough Council, No. 369; Martha Washington Council, No. 528; Morton McMichael Council, No. 886, and Valor Council, No. 966, of the Junior Order of United American Mechanics, of Philadelphia, Pa., protesting against the appropriation of public funds for sectarian purposes in the District of Columbia—to the Committee on the District of Columbia.

Also, resolutions of the Philadelphia Oil Trade, for the enactment of legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Philadelphia, Pa., protesting against the appropriation of public funds for sectarian purposes—to the Committee on Appropriations.

By Mr. BLAND: Petitions of citizens of St. Elizabeth, Osage Iron Works, and Montreal, Mo., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BODINE: Petitions of citizens of Sampson, Hamden, and Echo, Mo., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BULL: Resolution of the Rhode Island Business Men's Association, in favor of the Hanna-Payne bill to increase American shipping—to the Committee on the Merchant Marine and Fisheries.

By Mr. CAPRON: Resolution of the Rhode Island Business Men's Association, in favor of the Hanna-Payne bill to increase American shipping—to the Committee on the Merchant Marine and Fisheries.

By Mr. CHICKERING: Petition of citizens of Brownville and Dexter, Jefferson County, N. Y., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Dexter and Brownville, N. Y., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CODDING: Petitions of the Woman's Christian Temperance Union of Wyalusing and East Springfield, and churches of Columbia Crossroads and Wyalusing, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. COWHERD: Petition of citizens of Higginsville, Lafayette County, Mo., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. CRUMP: Petition of A. Morel and 200 citizens of Arn, Mich., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. CURTIS of Kansas: Petition of Stephen Ogden and other fourth-class postmasters of Coffey County, Kans., asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Petition of the Pittsburgh Chamber of Commerce and of the American Shipping and Industrial League, urging the passage of the Hanna-Payne shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Woman's Club of Pittsburg, Pa., for legislation against the desecration of the American flag—to the Committee on the Judiciary.

Also, sundry petitions of certain churches, societies, and citizens of Pittsburg, Allegheny, Carnegie, Emsworth, Bellevue, Avalon, and Wilkinsburg, Allegheny County, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, resolutions of the National Board of Trade of Philadelphia, Pa., in relation to postal matters—to the Committee on the Post-Office and Post-Roads.

By Mr. DE VRIES: Petition of the Methodist Episcopal Church and Epworth League of the State of California, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DOCKERY: Petition of George P. Pierson and other fourth-class postmasters of Harrison County, Mo., asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. Bearedy and citizens of Caldwell County, Mo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. DOVENER: Petition of 52 citizens of Vadis, W. Va., to accompany House bill granting a pension to Asa Monnypenny—to the Committee on Pensions.

By Mr. ELLIS: Petition of fourth-class postmasters of Baker, Union, Columbia, and Clatsop counties, Oreg., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. ERMENTROUT: Resolutions of the Merchants' Association of New York, in regard to freedom of private property on the sea from capture in time of war—to the Committee on Foreign Affairs.

Also, petition of the Army and Navy Union, favoring the passage of a bill to promote the efficiency of the clerical force of the Navy—to the Committee on Naval Affairs.

By Mr. FOWLER of New Jersey: Petition of Roswell A. Benedict, of Crawford, N. J., for the amendment of the Constitution in certain respects, to the interest of American business and industrial stability—to the Committee on the Judiciary.

By Mr. GRAHAM: Petition of the National Pure Food and Drug Congress, Washington, D. C., praying for the passage of a national food and drug bill—to the Committee on Agriculture.

Also, petition of Picking Naval Garrison, No. 8, of Erie, Pa., urging the passage of House bill No. 11556, to promote the efficiency of the clerical service in the Navy of the United States by organizing a clerical corps of the Navy—to the Committee on Naval Affairs.

Also, petition of Mrs. I. Newton Patterson, superintendent of the legal work of the Woman's Christian Temperance Union of Allegheny, Pa., representing 37 churches and 7,000 members, for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GROUT: Petition of L. R. Carpenter, Davis Bridge, Vt., and 37 other fourth-class postmasters, for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. HENRY of Mississippi: Petition of citizens of Humphreys, Miss., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HOPKINS: Resolutions of the College Church of Christ, Wheaton, Ill.; the Chicago Presbytery of the United Presbyterian Church; also petitions of certain citizens of the State of Illinois and of the Woman's Christian Temperance Union of Elgin, Ill., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, resolution of the Woman's Christian Temperance Union of Elgin, Ill., praying for the maintenance of prohibition in Alaska—to the Committee on the Territories.

By Mr. HOWELL: Petitions of fourth-class postmasters in the Third Congressional district of New Jersey, urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. JOHNSON of Indiana: Petition of fourth-class postmasters of Rush County, Ind., for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. KITCHIN: Papers relating to the claim of Ledia Johnston, of Chapel Hill, N. C.—to the Committee on War Claims.

By Mr. McALEER: Petition of the Philadelphia Oil Trade Association, urging the passage of the Hanna-Payne shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Merchants' Association of New York, in

regard to freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

Also, petition of the Regular Army and Navy Union, Garrison No. 8, favoring amendment to the Navy personnel bill providing for the organization of the clerical force of the Navy—to the Committee on Naval Affairs.

By Mr. MIERS of Indiana: Petitions of citizens of Knox County, D. H. Hookey and 200 citizens of Topeka, H. W. Schroeder and 208 citizens of Westphalia, Ind., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petitions of citizens of Bloomington, Vincennes, Worthington, Monroe, and Mitchell, Ind., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. OSBORNE: Petitions of Thomas McGrath and 221 citizens of Miners Delight, Wyo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. PAYNE: Resolutions of Myron M. Fish Post, No. 406, Grand Army of the Republic, Department of New York, for amendment of the pension laws—to the Committee on Invalid Pensions.

By Mr. ROBB: Petitions of Solon J. Upton and 223 citizens of Licking, Mo., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENS of Texas: Petition of Alexander Jamison and other fourth-class postmasters of Palo Pinto County, Tex., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. TERRY: Petition of W. M. Wright and 16 other letter-carriers, of Little Rock, Ark., asking that the law be so amended as to allow forty-eight hours for six days' service—to the Committee on the Post-Office and Post-Roads.

By Mr. TONGUE: Petition of Simpson Chapel and Monroe Methodist Episcopal churches, of Benton County, Oreg., to prohibit the reproduction of prize fights and the interstate transmission of devices for the same—to the Committee on Interstate and Foreign Commerce.

Also, petition of Simpson Chapel and Monroe Methodist Episcopal churches, of Benton County, Oreg., favoring the passage of a bill prohibiting the sale of alcoholic liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. VINCENT: Petition of postmasters in Republic County, Kans., asking for the passage of a bill increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. WALKER of Massachusetts: Petition of 8 fourth-class postmasters in the Third Congressional district of Massachusetts, urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. WEYMOUTH: Petition of the Woman's Christian Temperance Union of Gardner, Mass., protesting against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. YOUNG: Resolutions of the Merchants' Association of New York, in reference to freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

SENATE.

TUESDAY, February 7, 1899.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The VICE-PRESIDENT. The Secretary will read the Journal of yesterday's proceedings.

Mr. ALLEN. Mr. President, I think there ought to be a quorum present. There ought to be at least more Senators present than are here now.

The VICE-PRESIDENT. The absence of a quorum is suggested by the Senator from Nebraska. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Gorman,	Martin,	Roach,
Allison,	Hanna,	Mitchell,	Ross,
Berry,	Hansbrough,	Money,	Sewell,
Burrows,	Harris,	Morgan,	Shoup,
Butler,	Hawley,	Murphy,	Smith,
Carter,	Jones, Ark.	Nelson,	Stewart,
Chandler,	Jones, Nev.	Pasco,	Teller,
Clark,	Kenney,	Perkins,	Tillman,
Cockrell,	Lindsay,	Pettigrew,	Turley,
Cullom,	Lodge,	Pettus,	Warren,
Davis,	McBride,	Platt, Conn.	Wellington,
Deboe,	McEnery,	Platt, N. Y.	Wolcott,
Gallinger,	Mallory,	Pritchard,	
Gear,	Mantle,	Rawlins,	

The VICE-PRESIDENT. Fifty-four Senators have answered to their names. A quorum is present. The Secretary will read the Journal of yesterday's proceedings.

Mr. LODGE. I ask unanimous consent that the reading be dispensed with.

The VICE-PRESIDENT. Is there any objection? The Chair hears none, and the order is made.

ABSTRACT OF MILITIA FORCE.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting an abstract of the militia force of the United States, according to the latest returns received at the Office of the Adjutant-General of the Army, for the year 1898; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

CREDENTIALS.

Mr. SPOONER presented the credentials of Joseph Very Quarles, chosen by the legislature of Wisconsin a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

Mr. PLATT of Connecticut presented the credentials of JOSEPH R. HAWLEY, chosen by the legislature of Connecticut a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bill and joint resolutions:

A bill (S. 2768) to grant lands to the State of Alabama for the use of the Industrial School for Girls in Alabama and of the Tuscegee Normal and Industrial Institute;

A joint resolution (S. R. 218) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Ricardo Yglesias, of Porto Rico; and

A joint resolution (S. R. 219) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Alberto Valenzuela Montoya, of Colombia.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 321) for the relief of the Berdan Firearms Manufacturing Company;

A bill (H. R. 4382) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg;

A bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes;

A bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii;

A bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses; and

A bill (H. R. 12009) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.

The message further announced that the House had agreed to the concurrent resolution of the Senate to print 3,000 copies of the Proceedings of the National Fishery Congress, held at Tampa, Fla., January 19 to 24, 1898.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900; and it was thereupon signed by the Vice-President.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the Board of Trade of Lowell, Mass., praying for the retention of the Philippine Islands; which was referred to the Committee on Foreign Relations.

He also presented the petition of Susan B. Anthony and 15 other citizens of Rochester, N. Y., praying that the right of suffrage be granted to women in Hawaii; which was referred to the Select Committee on Woman Suffrage.

Mr. NELSON presented a petition of local union No. 361, United Brotherhood of Carpenters and Joiners, of Duluth, Minn., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. PLATT of New York presented petitions of the congregations of the Methodist Episcopal Church of Brownville, of sundry churches of Sandy Hill and Glens Falls, and of the Summer School of Social Problems, of Saratoga, all in the State of New York, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures and descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented a petition of local union No. 67, United Brotherhood of Carpenters and Joiners, of New York City, N. Y., and a petition of local branch No. 549, Amalgamated Society of